
NEW YORK STATE

REGISTER

INSIDE THIS ISSUE:

- Trout Stream Fishing Regulations
- Emergency Medical Services Equipment Requirements for Certified Ambulance and Emergency Ambulance Service Vehicles
- Minor Electric Rate Filing to Increase Annual Electric Revenues

Notice of Availability of State and Federal Funds

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 September 8, 2024
- the 45-day period expires on August 24, 2024
- the 30-day period expires on August 9, 2024

**KATHY HOCHUL
GOVERNOR**

**WALTER T. MOSLEY
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

For press and media inquiries call:
(518) 486-9844

For *State Register* production, scheduling and subscription information
call: (518) 474-6957
E-mail: adminrules@dos.ny.gov

For legal assistance with *State Register* filing requirements
call: (518) 474-6740
E-mail: dos.dl.inetcounsel@dos.ny.gov

An electronic version of the *New York State Register* is freely available at:
dos.ny.gov/state-register



The New York State Register (ISSN 0197 2472) is published weekly. Subscriptions are \$80 per year for first class mailing and \$40 per year for periodical mailing. The *New York State Register* is published by the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. Periodical postage is paid at Albany, New York and at additional mailing offices.

POSTMASTER: Send address changes to NY STATE REGISTER, the Department of State, Division of Administrative Rules, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

 printed on recycled paper

NEW YORK STATE
REGISTER

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) 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

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

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

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

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

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.

Rule Making Activities

Central New York Regional Transportation Authority

- 1 / Rules Governing the Conduct and Safety of the Public in the Use and Operations of Transit Services (A)

Civil Service, Department of

- 1 / Jurisdictional Classification (A)
- 3 / Jurisdictional Classification (P)
- 8 / Jurisdictional Classification (P)
- 9 / Jurisdictional Classification (P)

Economic Development, Department of

- 10 / Empire State Film Production Tax Credit Program (A)
- 14 / Empire State Post Production Tax Credit Program (A)

Environmental Conservation, Department of

- 14 / Regulations on Submission of Fishing Data and Requirement for Electronic Tracking Device on Federally Permitted Lobster Vessels (A)
- 16 / Salt Hill State Forest (A)
- 16 / 6 NYCRR Part 664, Freshwater Wetlands Jurisdiction and Classification (P)
- 20 / Trout Stream Fishing Regulations (P)

Gaming Commission, New York State

- 23 / Claiming Rules Revisions in Thoroughbred Racing (A)
- 23 / Change of Gaming Commission Address (A)

Health, Department of

- 23 / Statewide Health Information Network for New York (SHIN-NY) (A)
- 25 / Notice of expiration
- 25 / Emergency Medical Services Equipment Requirements for Certified Ambulance and Emergency Ambulance Service Vehicles (P)

Public Service Commission

- 28 / Motion for Waiver (A)
- 28 / New York's 6 GW Energy Storage Roadmap: Policy Options for Continued Growth in Energy Storage (A)
- 28 / Increase in Annual Revenues and Escrow Account (A)
- 29 / Monthly CBC Charge (A)
- 29 / CPCN, Lightened Regulation and Financing Petition (A)
- 30 / Increase in Annual Base Revenues (A)
- 30 / CPCN and Lightened Regulation (A)
- 30 / Petition for Amendment to Authorization of Issuance of Promissory Notes (A)
- 31 / EV Managed Charging Program Modifications (A)
- 31 / Increase in Annual Revenues (A)
- 31 / EV Managed Charging Program Modifications (A)
- 32 / Transfer of Street Lighting Facilities (A)
- 32 / Motion for Waiver (A)
- 33 / Financing Petition (A)

33 / Transfer of Assets (A)

34 / Minor Electric Rate Filing to Increase Annual Electric Revenues (P)

34 / Deferral of Costs Associated with the Development of UTEN (P)

34 / A Debt Financing Arrangement with Respect to an Offshore Wind Project (P)

Hearings Scheduled for Proposed Rule Makings / 36

Action Pending Index / 39

Securities Offerings

93 / State Notices

Advertisements for Bidders/Contractors

95 / Sealed Bids

Notice of Availability of State and Federal Funds

99 / Homeland Security, Office of

101 / Housing and Community Renewal, Division of

Miscellaneous Notices/Hearings

105 / Notice of Abandoned Property Received by the State Comptroller

105 / Public Notice

RULE MAKING ACTIVITIES

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

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

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

Central New York Regional Transportation Authority

NOTICE OF ADOPTION

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

I.D. No. RTA-08-24-00005-A
Filing No. 532
Filing Date: 2024-06-21
Effective Date: 2024-07-10

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

Action taken: Addition of Part 1980 to Title 21 NYCRR.

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

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

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

Text or summary was published in the February 21, 2024 issue of the Register, I.D. No. RTA-08-24-00005-P.

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

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

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

During the public comment period of February 21, 2024 – April 21, 2024, no public comment was received regarding the proposed rulemaking ID No. RTA-08-24-0005-P.

An inquiry was made via email on 2/22/2024, indicating that the URL link provided in the Registrar was not functioning. A copy of the proposal was submitted to the inquiring party and the CNYRTA fixed the link on 2/28/2024.

Department of Civil Service

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-14-24-00003-A
Filing No. 546
Filing Date: 2024-06-25
Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00003-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-14-24-00004-A
Filing No. 547
Filing Date: 2024-06-25
Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00004-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-14-24-00005-A

Filing No. 538

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00005-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-14-24-00006-A

Filing No. 542

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00006-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-14-24-00007-A

Filing No. 540

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00007-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-14-24-00008-A

Filing No. 545

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 of 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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00008-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-14-24-00009-A

Filing No. 541

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00009-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-14-24-00010-A

Filing No. 544

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 of 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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00010-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-14-24-00011-A

Filing No. 539

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00011-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.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-14-24-00012-A

Filing No. 543

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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 April 3, 2024 issue of the Register, I.D. No. CVS-14-24-00012-P.

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

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

Assessment of Public Comment

The agency received no public comment.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00001-P

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

Proposed Action: Amendment of 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 of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Gaming Commission," by adding thereto the position of Executive Secretary and by increasing the number of positions of Special Assistant from 9 to 10.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00002-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Education Department, by adding thereto the position of Director Investigations; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Education Department, by adding thereto the position of Psychometrician 2 (1).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was

previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-28-24-00003-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of Parks, Recreation and Historic Preservation," by increasing the number of positions of Golf Course Superintendent 2 from 5 to 6.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-28-24-00004-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Family Assistance under the subheading "Office of Children and Family Services," by increasing the number of positions of Associate Commissioner from 19 to 20; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Family Assistance under the subheading "Office of Children and Family Services," by adding thereto the position of Advocacy Specialist 3 (1) and by increasing the number of Advocacy Specialist 2 from 2 to 3.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-28-24-00005-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office for the Prevention of Domestic Violence," by increasing the number of positions of Public Information Specialist 1 (Digital Content) from 1 to 2.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00006-P

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

Proposed Action: Amendment of 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the New York State Bridge Authority, by adding thereto the positions of Data Analyst 1 (2) and Data Analyst 2 (1).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00007-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Environmental Conservation, by increasing the number of positions of Special Assistant from 27 to 28.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00008-P

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

Proposed Action: Amendment of 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of Victim Services," by adding thereto the position of Public Information Specialist 1 (Digital Content) (1).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00009-P

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

Proposed Action: Amendment of 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Labor under the subheading "State Insurance Fund," by adding thereto the positions of Equal Opportunity Specialist 4 (2) and by increasing the number of positions of Equal Opportunity Specialist 1 from 8 to 18, Equal Opportunity Specialist 2 from 4 to 9 and Equal Opportunity Specialist 3 from 2 to 3.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00010-P

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

Proposed Action: Amendment of 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Westchester County under the subheading "Department of Public Works and Transportation," by adding thereto the positions of øAssistant to the Commissioner (Public Works and Transportation) (1) and øExecutive Director – Aviation (1).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00011-P

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

Proposed Action: Amendment of 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 of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Division of Housing and Community Renewal," by increasing the number of positions of Special Assistant from 11 to 12.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00012-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Mental Hygiene under the subheading "Office of Mental Health," by adding thereto the position of Manager Information Services; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office of Mental Health," by increasing the number of positions of Data Analyst 2 from 6 to 14, Data Analyst 3 from 1 to 2 and Data Analyst 4 from 1 to 2.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00013-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Labor under the subheading "Workers' Compensation Board," by increasing the number of positions of Data Analyst 1 from 1 to 2.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00014-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Mental Hygiene under the subheading "Office of Addiction Services and Supports," by adding thereto the position of Chief Diversity Officer; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office of Addiction Services and Supports," by adding thereto the position of Assistant Director Financial Administration 2 (Addiction Treatment Center) (1).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was

previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-28-24-00015-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Division of Homeland Security and Emergency Services," by increasing the number of positions of Special Assistant from 20 to 22.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-28-24-00016-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Civil Service, by increasing the number of positions of Public Information Specialist 1 (Digital Content) from 2 to 3.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-28-24-00017-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Corrections and Community Supervision, by deleting therefrom the positions of Library Clerk 2 (75) and by adding thereto the positions of Library Assistant 1 (75); in the Department of Economic Development, by deleting therefrom the positions of Library Clerk 2 (2) and by adding thereto the positions of Library Assistant 1 (2); in the Education Department, by deleting therefrom the positions of Library Clerk 2 (33) and Senior Architect (7), and by adding thereto the positions Architect 1 (7) and Library Assistant 1 (33); in the Department of Environmental Conservation, by deleting therefrom the positions of Senior Architect (2) and by adding thereto the positions of Architect 1 (2); in the Executive Department under the subheading "Office of General Services," by deleting therefrom the positions of Senior Architect (25) and by adding thereto the positions of Architect 1 (25); in the Executive Department under the subheading "Division of Homeland Security and Emergency Services," by deleting therefrom the positions of Senior Architect (2) and by adding thereto the positions of Architect 1 (2); in the Executive Department under the subheading "Division of Housing and Community Renewal," by deleting therefrom the positions of Senior Architect (7) and by adding thereto the positions of Architect 1 (7); in the Executive Department under the subheading "Office of Parks, Recreation and Historic Preservation," by

deleting therefrom the positions Senior Architect (22) and by adding thereto the positions of Architect 1 (22); in the Department of Family Assistance under the subheading "Office of Children and Family Services," by deleting therefrom the positions of Senior Architect (2) and by adding thereto the positions of Architect 1 (2); in the State University of New York under the subheading "Central Administration, Colleges and Universities," by deleting therefrom the positions of Library Clerk 2 (235) and Senior Architect (8) and by adding thereto the positions of Architect 1 (8) and Library Assistant 1 (235); in the Department of Health, by deleting therefrom the positions of Library Clerk 2 (2) and by adding thereto the positions of Library Assistant 1 (2); in the Department of Law, by deleting therefrom the positions of Library Clerk 2 (2) and Senior Architect (2) by adding thereto the positions of Architect 1 (2) and Library Assistant 1 (2); in the Department of Mental Hygiene under the subheading "Office of Mental Health," by deleting therefrom the positions of Senior Architect (3) and by adding thereto the positions of Architect 1 (3); in the Department of Mental Hygiene under the subheading "Office for People with Developmental Disabilities," by deleting therefrom the positions of Senior Architect (4) and by adding thereto the positions of Architect 1 (4); in the Department of State, by deleting therefrom the positions of Senior Architect (10) and by adding thereto the positions of Architect 1 (10); and, in the New York State Thruway Authority, by deleting therefrom the positions of Senior Architect (4) and by adding thereto the positions of Architect 1 (4).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00018-P

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

Proposed Action: 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 of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of General Services," by adding thereto the position of øDirector, Convention and Cultural Events Office (1).

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

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

Jurisdictional Classification

I.D. No. CVS-28-24-00019-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Division of Criminal Justice Services," by increasing the number of positions of Program Manager from 1 to 2; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Division of Criminal Justice Services," by increasing the number of positions of Highway Safety Equipment Technical Supervisor from 1 to 2 and Highway Safety Equipment Technician 2 from 2 to 5.

Text of proposed 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

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was

previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-24-00004-P, Issue of January 3, 2024.

Department of Economic Development

NOTICE OF ADOPTION

Empire State Film Production Tax Credit Program

I.D. No. EDV-42-23-00001-A

Filing No. 548

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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

Action taken: Amendment of Part 170 of Title 5 NYCRR.

Statutory authority: L. 2023, ch. 59, part D

Subject: Empire State Film Production Tax Credit Program.

Purpose: To update the administrative process of the film production tax credit program.

Text of final rule: Section 1. Subdivision (a) of section 170.1 is amended to read as follows:

Section 170.1 Purpose and general description.

(a) The purpose of these regulations is to set forth the application process for the Empire State Film Production Tax Credit Program established by Chapter 60 of the Laws of 2004 and amended by Chapter 57 of the Laws of 2009 and 2010, Chapter 268 of the Laws of 2012, [and] Chapter 59 of the Laws of 2013 and 2014 and as amended by Chapter 60 and 420 of the Laws of 2016, Chapter 59 of the Laws of 2017, Chapters 39 and 59 of the Laws of 2019 and Chapter 59 of the Laws of 2021-2023. Pursuant to Chapter 60 of the Laws of 2004, the Department of Economic Development has been granted the authority to promulgate regulations to establish procedures for the allocation of such credits, including, but not limited to, the application process, standards for application evaluations, and any other provisions deemed necessary and appropriate. The Department of Economic Development shall administer the program, including the issuance of tax credit certificates.

Section 2. Subdivisions (a), (d), (f), (j), (k), (aa), (ad) and (ah) are amended; subdivisions (i), (m), (u) (ai) (al) (am) and (ar) are added to section 170.2 and the relevant subdivisions re-lettered as follows:

170.2 Definitions.

As used in this regulation, the following terms shall have the following meanings:

(a) Authorized applicant means a qualified film production company that is scheduled to begin principal and ongoing photography on a qualified film after submitting a complete initial application to the department and intends to shoot a minimum of one day of principal and ongoing photography on a stage at a qualified film production facility on a set or sets. For the purposes of this definition a day of shooting principal photography shall mean a minimum of eight hours from first unit crew call to wrap during which time the director, first unit crew and principal performer(s) are engaged in the production of principal photography on a stage on a set or sets built specifically for the production. A Level Two applicant must shoot 10 percent of all principal photography days at a qualified film production facility on a set or sets built specifically for the production as outlined above. *The department shall determine which principal and ongoing shooting schedule shall satisfy the requirements of the Program.*

(d) Certificate of tax credit means a certificate issued by the department which states the amount of the Empire State film production tax credit that the approved applicant has qualified for, based on the department's analy-

sis under section 24 of the Tax Law and the provisions of this Part. Such certificate may include, but not be limited to, the following information: name and address of the approved applicant, name of the qualified film the credit applies to, the amount of the tax credit to be received by the approved applicant, allocation year of the tax credit earned, *for applicants who applied to the Program prior to April 1, 2023*, a disclaimer stating that the tax credit shall not be claimed before the later of either the taxable year the production of the qualified film is complete or the taxable year immediately following the allocation year for which the film has been allocated credit, and a disclaimer stating that actual receipt of the tax credit is subject to the statutory maximum amount of credits that are allocated for the program. *Note that for applicants who applied to the Program after April 1, 2023 such certificate shall contain, in addition to the parameters listed above, a disclaimer stating that the tax credit shall not be claimed before the later of the taxable year the production of the qualified film is complete or the taxable year that includes the last day of the allocation year for which the film has been allocated credit by the department.*

(f) Completion of a qualified film means that the process of post production of a qualified film has been finished and a [cut negative, video master] DCP, or other final locked form of the qualified film is ready for [the striking of prints or electronic copies, and/or ready for broadcast or] delivery to [a distributor] *the primary venue*. All [activities and] expenses related to *archiving*, marketing and distribution, including, but not limited to, the making of [release prints, video dupes or other forms of] copies[,] and promotional [images] *materials* [, and poster art] are considered to occur after the production of a qualified film is completed.

(i) *Digital Cinema Package (DCP) means a collection of digital files used to store and convey digital cinema (DC) audio, image, and data streams.*

([i]j) Diversity impact data means information submitted by an authorized applicant that describes the gender and race/ethnicity of all individuals working on a production seeking the tax credit under this Part. *In order for the department to aggregate data, this includes the legal gender of all individuals and, to the extent disclosed, the race/ethnicity/gender identity of all individuals.* This shall include information on the diverse business ownership of vendors working on a production, to the extent the information is known and verifiable to the production, in addition to job creation numbers for production and post-production staff and crew at entry, middle and management level positions; and talent positions (cast and extras). Productions may utilize self-reporting and identification by the individual members of the production workforce and vendors, employment, payroll, and human resources data, and other sources in order to collect and aggregate this information.

([j]k) Diversity plan means [a written document] *that information contained in the initial application's project summary and supporting documentation as necessary* [submitted with the initial application] which includes, but is not limited to:

(1) an authorized applicant's specific goals for hiring a diverse workforce on a production that applies for the tax credit under this Part;

(2) whether and how such authorized applicant intends to participate in training, education, and recruitment programs that are designed to promote and encourage the training and hiring in the film and television industry of New York residents who represent the diversity of the State's population; and

(3) an authorized applicant's plan for hiring vendors with diverse ownership. The diversity plan shall detail the manner in which the applicant proposes to achieve its goals to ensure employment of a diverse workforce on the production.

([k]l) Diversity report means [a] written [document] *information provided in the final production summary, reports and supporting documentation* [submitted with the final application] that includes, but is not limited to:

(1) diversity impact data;

(2) illustrates how the authorized applicant has met or made good faith efforts to meet the specific goals for hiring a diverse workforce outlined in their diversity plan;

(3) whether and how the authorized applicant has participated in or intends to participate in training, education, and recruitment programs that are designed to promote and encourage the training and hiring in the film and television industry of New York residents who represent the diversity of the State's population; and

(4) how the authorized applicant has executed its plan for hiring vendors of diverse ownership.

(m)(1) Relocated television series eligible for relocation costs pursuant to section 190.2(ai) of this Part shall mean the first two years of a regularly occurring production intended to run in its initial broadcast, regardless of the medium or mode of its distribution, in a series of narrative and/or thematically related episodes.

(2) The series must have filmed a minimum of six episodes of the television series outside New York State, with a total minimum budget of at least one million dollars per episode immediately prior to relocating to the state.

(3) For a television series produced by and/or for network/cable television, each episode must have a running time of at least thirty minutes in length (inclusive of commercial advertisement and interstitial programming).

(4) For a television series produced by and/or media services providers described as streaming services and/or digital platforms (and excluding network/cable) the aggregate length of episodes must be at least seventy-five minutes, although the episodes themselves may vary in duration from the thirty minutes specified for network/cable production.

(5) For the purposes of this definition only, first two years of a regularly occurring production shall include only the first two seasons of such production.

(6) Relocated television series which do not produce a minimum of two seasons in New York State are ineligible to receive qualified relocation costs pursuant to section 190.2(ai) of this Part but may still receive the film tax credit on qualified costs.

([l]n) End credit requirements means those acknowledgements that a qualified film production company or qualified independent film production company, which has applied for credit under the provisions of this section, agrees to include in each qualified film as a condition for the granting of the credit. Each qualified film shall include in the end credits, the phrase “Filmed with the support of the New York State Governor’s Office of Motion Picture and Television Development” and a logo provided by the Governor’s Office of Motion Picture and Television Development.

([m]o) Feature-length film means a production intended for commercial distribution to a motion picture theater or directly to the consumer viewing market that has a running time of at least 75 minutes in length.

([n]p) Film production facility means a building and/or complex of buildings and their improvements and associated back-lot facilities in which films are or are intended to be regularly produced and which contain at least one sound stage; provided, however, that an armory owned by the State or City of New York located in the City of New York shall not be considered to be a “film production facility” unless such facility is used by a level one qualified production or it meets the criteria contained in the definition of a “qualified film production facility” in subdivision ([y]af) of this section. Specifically, an armory located in the City of New York used by a level two qualified production must be certified by the [D]department.

([o]q) Final application means information concerning actual expenditures regarding a qualified film that could make it eligible for the Empire State film production tax credit under section 24 of the Tax Law and the provisions of this Part provided in a form and manner as prescribed by the [D]department and submitted by an applicant after it has completed production of a qualified film. Such application may include, but not be limited to: actual data with regard to the qualified film’s total budget, the total production costs at film production facilities in and outside of New York, and the total number of shooting days in and outside of New York and any other information the [D]department determines is necessary.

([p]r) Initial application means information concerning projected expenditures regarding a qualified film that could make it eligible for the Empire State film production tax credit under section 24 of the Tax Law and the provisions of this Part provided in a form and manner as prescribed by the [D]department and submitted by an authorized applicant. Such application may include, but is not limited to, the following information: the estimated total budget for the qualified film, estimates of expenditures at a qualifying production facility, estimates of shooting days and expenditures in New York State and outside of New York State and any other information the department determines is necessary.

([q]s) Level one qualified production means a qualified production that has a maximum production budget of \$15,000,000 and is being produced by a qualified independent production company in which no more than five percent of the beneficial ownership is owned directly or indirectly by a publicly traded entity.

([r]t) Level two qualified production means a qualified production that has a production budget over \$15,000,000, or which is being produced by a qualified film production company in which more than five percent of the beneficial ownership is owned, directly or indirectly, by a publicly traded entity.

(u) “Other compensation” means payments by the Applicant to qualified production personnel which constitute taxable income to the individual; said payment may be in the form of goods, services or monetary compensation and is directly and predominantly related to the labor provided by the qualified personnel to the production.

([s]v) Pre-production means the process of preparation for actual physical production which begins after a qualified film has received a firm agreement of financial commitment with, for example, the establishment of a dedicated production office, the hiring of key crew members such as a unit production manager and location manager, and includes, but is not limited to, activities such as location scouting, hiring of crew, and execution of contracts with vendors of equipment and stage space.

([t]w) Principally engaged in the production of a qualified film and controls the qualified film during production means that the legal entity is responsible for payment of the direct production expenses (including pre- and post-production) and is a signatory to the qualified film’s contracts with its payroll company and facility operators.

([u]x) Post-production means the final stage in a qualified film’s production after principal and ongoing photography is completed, including, but not limited to, editing, Foley recording, automatic dialogue replacement, sound editing, special effects, scoring and music editing, beginning and end credits, soundtrack production, the addition of sound/visual effects, and dubbing. Advertising and marketing activities and expenses are not included in post-production.

([v]y) Premature application means an initial application in which the [D]department reasonably determines that the applicant cannot commence principal and ongoing photography within 180 days of the date the initial application was submitted. Such determination shall be based on, among other things, completeness of the applicant’s answers on the initial application and lack of documentation supporting an applicant’s initial application.

([w]z) Principal and ongoing photography means the period of time during which the majority of the film is shot with the participation of actors, director and first unit crew. Re-shoot days with actors, director and crew are considered principal photography. Second unit shoots, and pick-up shots without director and actor(s) are not considered principal photography.

([x]aa) Production costs means any costs for tangible property used and services performed directly and predominantly in the production (including pre-production and post-production) of a qualified film. Production costs shall not include:

- (1) costs for a story, script or scenario to be used for a qualified film;
- (2) licensing or rights associated with the production of a qualified film; or
- (3) wages or salaries or other compensation for writers, directors, [including music directors,] composers, [producers] and [, including, but not limited to, line producers,] performers (other than background actors with no scripted lines) [and qualified certified public accountants] to the extent those wages or salaries or other compensation exceed five hundred thousand dollars per individual. Production costs generally include technical and crew production costs, such as expenditures for film production facilities, or any part thereof, props, makeup, wardrobe, film processing, camera, sound recording, set construction, lighting, shooting, editing and meals and shall include the wages, salaries or other compensation of no more than two producers per qualified film, not to exceed \$500,000 per producer, where only one of whom is the principal individual responsible for overseeing the creative and managerial process of the production of the qualified film and only one of whom is the principal individual responsible for the day to day operational management of the production of the qualified film; provided, also, that such producers are not compensated for any other position on the qualified film by a qualified film production company or a qualified independent film production company for services performed. Productions with producers eligible for this program who are also compensated for another position on the qualified film must elect to choose one of the position’s costs for inclusion in their final application.

([y]ab) Program means the Empire State film production tax credit program.

([z]ac) Qualified certified public accountant means a New York State certified public accountant approved by the [D]department to conduct a third party verification.

([aa]ad) Qualified film means a feature-length film, television film, relocated television production, television pilot or television series, regardless of the medium by means of which the film, pilot or series is created or conveyed. For the purposes of the credit provided by these regulations only, a qualified film whose majority of principal photography shooting

days in the production of the qualified film are shot in Westchester, Rockland, Nassau, or Suffolk county or any of the five New York City boroughs shall have a minimum budget of one million dollars. A qualified film whose majority of principal photography shooting days in the production of the qualified film are shot in any other county of the state than those listed in the preceding sentence shall have a minimum budget of \$250,000. Qualified film shall not include: (1) a documentary film, news or current affairs program, interview or talk program (unless such talk program meets the requirements of subdivision (a)[e][j] of this section), how-to (i.e., instructional) film or program, film or program consisting primarily of stock footage, sporting event or sporting program, game show, award ceremony, film or program intended primarily for industrial, corporate or institutional end-users, fundraising film or program, daytime drama (i.e., daytime soap opera), commercials, music videos or reality program; or (2) a production for which records are required under section 2257 of Title 18, United States Code, to be maintained with respect to any performer in such production (reporting of books, films, etc. with respect to sexually explicit conduct); or (3) a compilation of short films or webisodes aggregated to meet either the definition of television film or television series under these regulations; or (4) other than a relocated television production, a television series commonly known as variety entertainment, variety sketch and variety talk, i.e., a program with components of improvisational or scripted content (monologues, sketches, interviews), either exclusively or in combination with other entertainment elements such as musical performances, dancing, cooking, crafts, pranks, stunts, and games. However, a qualified film shall include a television series as described in subparagraph (4) of this paragraph only if an application for such series has been deemed conditionally eligible for the tax credit under this section prior to April first, two thousand twenty, such series remains in continuous production for each season, and an annual application for each season of such series is continually submitted for such series after April first, two thousand twenty. Title 18, United States Code, is available for public inspection and copying at the following address: New York State Department of Economic Development, 625 Broadway, 8th floor, Albany, NY 12245. *A series that changes either or both the title of the series or the principal cast prior to March thirty-first, two thousand twenty-three, shall be considered to remain in continuous production for each season, provided the series films at the same location as prior seasons, is produced by the same entity, and retains at least eighty percent of the staff from the prior season.*

([ab]ae) Qualified film production company means a corporation, partnership, limited partnership, or other entity or individual which or who is principally engaged in the production of a qualified film and controls the qualified film during production.

([ac]af) Qualified film production facility means a film production facility in New York State, which contains at least one sound stage having a minimum of 7,000 square feet of contiguous open unimpeded production space; provided, however, that except with respect to a qualified film production facility being used by a qualified independent film production company:

(1) a film production facility in the City of New York must contain at least one sound stage having a minimum of 7,000 square feet of contiguous open unimpeded production space that is sound proof with a Noise Criteria of 30 or better, has sufficient heating and air conditioning for shooting without the need for supplemental units, incorporates a permanent grid and sufficient built-in electric service for shooting without the need for generators, and is column-free with a clear height of at least 16 feet under the permanent grid for facilities constructed on or after January first, two thousand nineteen, and at least 12 feet under the permanent grid for facilities constructed before and which have otherwise met the requirements of this section by January 1, 2019; and

(2) an armory owned by the State or City of New York located in the City of New York that does not satisfy the criteria of paragraph (1) of this subdivision shall be treated as a qualified film production facility upon certification by the department of a petition submitted to the department by a qualified film production company establishing that no qualified film production facility is available in the City of New York that has stage space available for shooting such company's film. Such petition shall be submitted no later than 90 days prior to the start of principal photography for the qualified film and the department shall have 10 days to certify or reject the petition. A stage will be deemed unavailable if consideration has been paid for its use or such stage is currently under an agreement with an option for use and, in either circumstance, such period of use includes the petitioner's estimated start date of principal photography.

([ad]ag) Qualified independent film production company means a corporation, partnership, limited partnership, or other entity or individual,

that or who: (1) is principally engaged in the production of a qualified film with a maximum budget of \$15,000,000; and (2) controls the qualified film during production; and (3) either is not a publicly traded entity, or no more than five percent of the beneficial ownership of which is owned, directly or indirectly, by a publicly traded entity.

([ae]ah) Qualified production costs means production costs only to the extent such costs are attributable to the use of tangible property or the performance of services within New York State directly and predominantly in the production (including pre-production and post-production) of a qualified film. For the purpose of this definition, "attributable to the use of tangible property or the performance of services within New York State" shall only include costs and their pro rata portions which are incurred directly in New York State. *In the case of an eligible relocated television series, the term "qualified production costs" shall include, in the first season that the eligible relocated television series is produced in New York after relocation, qualified relocation costs. Provided, however, that the aggregate total eligible qualified production costs for producers, writers, performers (other than background actors with no scripted lines) and composers shall not exceed forty percent of the aggregate sum total of all other qualified production costs.*

(ai) Qualified relocation costs means the costs incurred, excluding wages, salaries and other compensation, in the first season that an eligible relocated television series relocates to New York including such costs incurred to transport sets, props and wardrobe to New York and other costs as determined by the department of economic development to the extent such costs do not exceed six million dollars.

([af]aj) Relocated television production shall mean, notwithstanding the limitations in subparagraph (i) of paragraph three of subdivision (a) of section 31 of the Tax Law, a television production that is a talk or variety program that filmed at least [five] two seasons outside the State prior to its first relocated season in New York, the episodes are filmed before a studio audience of 200 or more, and the relocated television production incurs at least \$30,000,000 in annual production costs in the State, or at least \$10,000,000 in capital expenditures at a qualified film production facility in the State.

([ag]ak) Sound stage means a large interior room or space which provides a controlled environment in which filming takes place on sets built or assembled specifically for the production.

([ah]al) Television film means a production that has a running time of at least 90 minutes in length (inclusive of commercial advertisement and interstitial programming, if any), regardless of the medium or mode of its distribution.

([ai]am) Television pilot means the initial episode produced for a proposed television series of at least 30 minutes in length (inclusive of provision for commercial advertisement and interstitial programming.)

([aj]an) Television series means a regularly occurring production intended to run in its initial broadcast, regardless of the medium or mode of its distribution, in a series of narrative and/or thematically related episodes, each of which has a running time of at least 30 minutes in length (inclusive of commercial advertisement and interstitial programming, if any). For the purposes of this definition only, a television series produced by and for media services providers described as streaming services and/or digital platforms (and excluding network/cable) shall mean a regularly occurring production intended to run in its initial release in a series of narrative and/or thematically related episodes, the aggregate length of which is at least 75 minutes, although the episodes themselves may vary in duration from the 30 minutes specified for network/cable production.

([ak]ao) Third party verification means a review conducted by a qualified certified public accountant of an applicant's final application using agreed upon procedures as prescribed by the department to verify that all criteria pursuant to section 170.6(b) of this Part have been met.

* * * *

Section 3, Paragraphs (4), (9) and (11) of subdivision (a) and paragraphs (2) and (9) of subdivision (b) of section 170.6 are amended to read as follows:

170.6 Criteria for evaluation of applications.

(a) Initial application. An initial application shall be reviewed by the department to determine, in its discretion, that all of the following criteria are met:

- (1) the application is complete;
- (2) the application is not premature;
- (3) the authorized applicant is a qualified film production company or a sole proprietor of a qualified film production company;
- (4) the authorized applicant intends to shoot [a] the required portion of principal and ongoing photography on a stage at a qualified film production facility on a set or sets;

(5) the authorized applicant is planning to produce a qualified film;

(6) the authorized applicant's projected qualified production costs (excluding post-production credits) paid or incurred which are attributable to the use of tangible property or the performance of services at a qualified film production facility in the production of a qualified film is likely to equal or exceed 75 percent of the projected production costs (excluding post-production costs) paid or incurred which are attributable to the use of tangible property or the performance of services at any film production facility within and without the State in the production of the qualified film;

(7) if the qualified film being produced is a level two qualified production (other than a pilot), then the applicant intends to shoot at least 10 percent of its principal photography days at a qualified film production facility;

(8) if the qualified film being produced is a television pilot and is a level two qualified production, the applicant intends to shoot at least one full day of principal photography at a qualified film production facility;

(9) the authorized applicant did not knowingly submit false or misleading information to the [D]epartment;

(10) the authorized applicant certifies that it will purchase taxable tangible property and services, defined as qualified production costs, only from companies registered to collect and remit New York State and local sales and use taxes;

(11) the authorized applicant intends to comply with the end credit requirements set forth in section 170.2(i)n of this Part;

(12) if the applicant is seeking credit on any costs incurred in New York outside a qualified film production facility, and the projected qualified production costs (excluding post-production costs) paid or incurred which are attributable to the use of tangible property or the performance of services at a qualified film production facility in the production of a qualified film are less than \$3,000,000, then the shooting days spent in New York outside of a film production facility in the production of the qualified film are projected to equal or exceed 75 percent of the total shooting days spent within and without New York outside of a film production facility in the production of such qualified film; and

(13) the authorized applicant has submitted a diversity plan.

(b) Final application. A final application shall not be approved by the commissioner unless the commissioner determines, in his or her discretion, that the following criteria are met:

- (1) the application is complete;
- (2) the applicant shot [a] the required portion of principal and ongoing photography on a stage at a qualified film production facility on a set or sets;
- (3) if the qualified film produced was a level two qualified production (other than a pilot), then the applicant shot at least 10 percent of its principal photography days at a qualified film production facility;
- (4) if the qualified film that was produced was a television pilot and was a level two production, then the applicant shot at least one full day of principal photography at a qualified film production facility;
- (5) a qualified film was produced and completed;
- (6) the applicant's actual qualified production costs paid or incurred (excluding post-production costs) which are attributable to the use of tangible property or the performance of services at a qualified film production facility in the production of the qualified film equaled or exceeded 75 percent of the production costs (excluding post-production costs) paid or incurred which are attributable to the use of tangible property or the performance of services at any film production facility within and without the State in the production of the qualified film;
- (7) the authorized applicant did not knowingly submit false or misleading information to the department;
- (8) in the event that the actual qualified production costs (excluding post-production costs) paid or incurred which are attributable to the use of tangible property or the performance of services at a qualified film production facility in the production of a qualified film are less than \$3,000,000, then the shooting days spent in New York outside of a film production facility in the production of a qualified film equaled or exceeded 75 percent of the total shooting days spent within and without New York outside of a film production facility in the production of such qualified film. If the shooting days spent in New York equaled or exceeded the 75 percent threshold, the department shall include in its calculation of the Empire State film production tax credit the portion of qualified production costs attributable to the use of tangible property or the performance of services in the production of a qualified film outside of a qualified film production facility; and
- (9) the applicant has supplied documentation (e.g. still shot, frame grab, finished DVD or other documentation such as the department may require) that the end credit requirements set forth in section 170.2(i)n of this Part have been met;

(10) the applicant has completed a diversity report and the extent to which the applicant has met or made good faith efforts to meet the specific goals outlined in their diversity plan; including how the applicant has participated in training, education and recruitment programs that are designed to promote and encourage the training and hiring of New York State residents who represent the diversity of the State's population. With respect to this subdivision, the department may issue guidelines to delineate its process for analyzing good faith efforts to meet goals on a diversity plan.

Final rule as compared with last published rule: Nonsubstantial changes were made in section 170.2.

Text of rule and any required statements and analyses may be obtained from: Thomas Regan, Department of Economic Development, 625 Broadway, Albany, NY 12245, (518) 292-5110, email: thomas.regan@esd.ny.gov

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

As there have been no substantive changes to the last published rule, there are no changes to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The Department of Economic Development received one set of comments on the proposed regulation. The following is a synopsis of the comments and the Department's responses:

1. Comment

Commenter raises concern that a production may not be able to report data in support of diversity goals regarding legal gender as it is not reported by the employee along with other identity data to their employer or included in employment paperwork along with other identity data.

Response

The Department is requiring reporting of all individuals that work on a production. The Department understands that through self-reporting and other means, productions will be unable to ascertain the race/ethnicity of all individuals working on a production and has included a mechanism for productions to track report individuals as 'undisclosed'. The Department believes that productions do have the legal gender of all individuals working on their productions, whether through self-reporting or employment paperwork.

Understanding the challenges of ascertaining this data, the Department is not currently setting a minimum diversity goal and as such any amount of undisclosed will not harm a production's ability to meet its goal or demonstrate good faith efforts. The amount of disclosed data will support a production's good faith efforts.

2. Comment

Commentor wishes to confirm that if there is nontaxable compensation that constitutes production costs either paid directly to an individual or through a loan out company, such amounts are not subject to the cap on compensation if an individual receives wages, salaries or other compensation in excess of \$500,000.

Response

Any nontaxable compensation paid to an individual or to a loan out company would not be eligible for the credit if that amount exceeds the \$500,000 cap on compensation paid for qualified services performed per contract/loan out agreement.

3. Comment

Commentor requests ESD clarify that the calculation of the tax credit under the post-production program will continue to incorporate the definition of production costs utilized in the film tax credit.

Response

This is incorrect. The post-production tax credit program has and always has had a separate definition of the term "production costs" from that of the film tax credit. The changes made in this past budget to the definition of "production costs" applied to the film tax credit (section 24 of the tax law) only.

NOTICE OF ADOPTION

Empire State Post Production Tax Credit Program**I.D. No.** EDV-42-23-00004-A**Filing No.** 534**Filing Date:** 2024-06-24**Effective Date:** 2024-07-10

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

Action taken: Amendment of Part 230 of Title 5 NYCRR.

Statutory authority: L. 2023, ch. 59, part D

Subject: Empire State Post Production Tax Credit Program.

Purpose: To update the administrative process of the post production tax credit program.

Text or summary was published in the October 18, 2023 issue of the Register, I.D. No. EDV-42-23-00004-P.

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

Text of rule and any required statements and analyses may be obtained from: Thomas Regan, Department of Economic Development, 625 Broadway, Albany, NY 12245, (518) 292-5110, email: thomas.regan@esd.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

NOTICE OF ADOPTION

Regulations on Submission of Fishing Data and Requirement for Electronic Tracking Device on Federally Permitted Lobster Vessels**I.D. No.** ENV-51-23-00002-A**Filing No.** 533**Filing Date:** 2024-06-24**Effective Date:** 2024-07-10

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

Action taken: Addition of Part 38; amendment of Parts 39, 40, 43, 44 and 50 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 13-0329 and 13-0342

Subject: Regulations on submission of fishing data and requirement for electronic tracking device on federally permitted lobster vessels.

Purpose: Consolidate regulations for reporting fishery data, add rules for electronic tracking of lobster vessels, and update address.

Substance of final rule: The New York State Department of Environmental Conservation (department) proposes to adopt a new Part 38 of 6 NYCRR entitled Marine Fisheries Data Management. The purpose of Part 38 is to clearly delineate the rules and regulations requiring the reporting of fishing activities to the department, insuring confidentiality of collected fishing data, and detailing the requirements for tagging of fish. The rules in Part 38 shall apply to all those who hold a Crab Permit, Food Fish and Crustacea Dealer and Shipper License, Food Fish License, Food Fish Landing License, Lobster Permit, Lobster Landing Permit, Marine Bait Permit, Party and Charter Boat License, Whelk License, Gill Net License, Eel Pot License, Eel Weir License, Seine License, Scoop/Dip/Scap Net License, Trap Net License, or Fyke Net License.

Fisheries data, statistics, or other information collected from individual permit or license holders by the department or available to the department from other states or the Federal Government shall be kept confidential and

shall not be disclosed except to an authorized user or when required under court order; provided, however, that the department may release or make public any statistics in an aggregate or summary form (with no less than three license holders or submitters contributing to that statistic) which does not directly or indirectly disclose the identity of any person who submits such statistics.

Any person holding a marine commercial fishing license shall complete and submit on a form prescribed by the department an accurate fishing vessel trip report for each fishing trip, detailing all fishing activities and all species landed. The license holder shall submit such completed and signed fishing reports monthly to the department within 15 days of the end of each month or at a frequency specified by the department in writing. If no fishing trips were made during a month, a report must be submitted stating no trips were made for that month. Incomplete or unsigned reports will not satisfy these reporting requirements. The license holder may also submit completed trip reports electronically using eTRIPS. Failure to submit the vessel trip reports that are required may result in fines and denial of future applications for the licenses and permits affected pursuant to this action.

Party and Charter Boat License holders shall complete and submit on a form prescribed by the department an accurate fishing vessel trip report for each fishing trip, detailing all fishing activities, including all species landed and the number of anglers aboard. If no fishing trips were made during a month, a report must be submitted stating no trips were made for that month. The license holder may submit completed reports electronically using eTRIPS. Effective January 1, 2025, all Party and Charter Boat License holders must complete and submit their vessel trip reports electronically using eTRIPS and submit these reports within 48 hours of the completion of each trip.

Any New York State license holder who is also the holder of a federal vessel fishing permit issued by NOAA Fisheries must only meet the reporting requirements specified by NOAA Fisheries. If requested in writing by the department, New York State permit holders who also hold federal fishing permits shall provide the electronic VTR numbers to the department for the month or months identified in the written notification. Holders of federal Highly Migratory Species (HMS) permits issued by NOAA Fisheries must satisfy the reporting requirements of New York State as stated in the paragraphs regarding commercial licenses and the Party and Charter Boat License in addition to any federal reporting requirements.

Food Fish License holders harvesting tautog must also include the following information in their trip reports: tautog tag serial numbers used for the trip, the weight of all tautog taken (in pounds), and the number of tautog taken.

Food Fish License holders who operate federally permitted vessels and harvest tautog must complete and submit an electronic copy of their fishing vessel trip report to the department for each commercial tautog trip.

Food Fish License holders must submit all their tautog reports, along with the NY Tautog Tag Accounting Form, by February 15 for the previous tagging season. Food Fish license holders who fail to submit complete and accurate reports to the department by February 15 may not be eligible to receive tautog tags for the following tagging season.

During the months of January, February, March, April, August, September, October, November, and December, all Horseshoe Crab permit holders shall submit vessel trip reports to the department monthly. All reports must be received by the fifth business day of the following month. The department reserves the right to institute weekly reporting during this period should it be deemed necessary. During the months of May, June, and July, Horseshoe Crab permit holders will be required to submit trip reports to the department on a weekly basis. Such weekly harvesting reports shall be received by the department by the fifth business day of the subsequent week. All Horseshoe Crab bio-medical harvester permit holders shall file accurate and complete monthly harvesting reports of their Horseshoe Crab fishing activities, on forms to be provided by the department. Reports for each month shall be submitted to the department by the fifth business day of the following month.

Any person who is a holder of a marine and coastal district food fish and crustacea dealers and shippers license shall complete and submit electronically using eDR an accurate purchase report for each purchase made from a fishing vessel or fisherman, detailing each purchase of marine food fish, crustacea, horseshoe crabs, and whelks. Each purchase report must include the VTR number for the fishing trip the purchase was made from.

The license holder must submit these reports to the department within three days after the end of each week, or at a frequency specified by the department in writing. If no purchases of food fish, crustacea, horseshoe crabs or whelks were made during that week, a report must be submitted stating no purchases were made for the week. Incomplete reports will not satisfy these reporting requirements. Any New York Food Fish and Crustacea Dealer Shipper License holder who is also the holder of a federal dealer permit issued by NOAA Fisheries must instead meet the reporting requirements specified by NOAA fisheries.

Federally permitted vessels in the lobster and Jonah crab fisheries issued commercial trap gear area permits are required to install an Atlantic States Marine Fisheries Commission approved electronic tracking device to collect and transmit spatial data in order to participate in the lobster or Jonah crab trap gear fisheries. Federally permitted vessels without an approved electronic tracking device are prohibited from landing lobster or Jonah crab taken with trap gear.

Federal permit holders are required to install and activate the tracking device prior to beginning a lobster or Jonah crab fishing trip with trap gear. The department is not required to aid with the installation or troubleshooting of vessel trackers.

The permit holder must complete, sign, date, and return an affidavit for tracking device certification to the department prior to departing on the first fishing trip after the program implementation date of December 15, 2023.

The device must remain on board the vessel and powered at all times when the vessel is in the water, unless the device is authorized to power down by the principal port state.

These requirements apply to all federal permit holders with commercial trap gear in Lobster Management Areas (LMAs) 1, 2, 3, 4, 5 and the outer Cape Cod area.

The department proposes to repeal and renumber sections throughout 6 NYCRR Subchapter F to reflect the relevant regulations being moved from other Parts into the new part 38. The department also proposes to amend language throughout 6 NYCRR Subchapter F regarding references to the Division of Marine Resources. Where the text specifies "Chief" or "Bureau", it has been updated to "Director" or "Division" respectively. Where the text references Part 175, it has been updated to Part 39. Where the text specifies the address "205 N. Belle Mead Road, Suite 1, E. Setauket, NY 11733", it has been replaced with "123 Kings Park Boulevard, Nissequogue River State Park, Kings Park, NY 11754". In addition, this rulemaking removes incorrect and obsolete reporting rules that are no longer observed or required.

Final rule as compared with last published rule: Nonsubstantial changes were made in section 40.1(l), (16) and (m)(12).

Text of rule and any required statements and analyses may be obtained from: Maureen Davidson, Department of Environmental Conservation, 123 Kings Park Blvd., Kings Park, New York 11754, (631) 444-0483, email: maureen.davidson@dec.ny.gov

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

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.

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

Only non-substantial changes were made to the previously proposed rule, which do not necessitate a revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis or Job Impact Statement. Such changes are necessary to reduce confusion by repealing contradictory language and do not materially alter the rule's purpose, meaning or effect.

Assessment of Public Comment

On December 20, 2023, the New York State Department of Environmental Conservation (department) proposed amendments to Title 6 of the New York Codes, Rules, and Regulations (6 NYCRR) Parts 40, 43, 44, 50 and the adoption of a new 6 NYCRR Part 38. The proposed rule consolidates existing reporting requirements for fishing activities by fishermen, party and charter boat operators, and seafood dealers in the new 6 NYCRR Part 38. It also requires party and charter boat license holders to submit fishing vessel trip reports online (into an application called SAFIS eTRIPS) and within 48 hours of the end of the fishing trip and requires federal lobster trap permit holders to install an approved electronic tracking device on their fishing vessel to collect spatial and temporal data to be used to identify risks to the Atlantic right whale from fishing gear.

The public comment period for the proposed rule was open from December 20, 2023, to March 7, 2024. The department held a virtual public hearing on February 27, 2024, at 2 PM. The department published notice of the public comment period and virtual public hearing in the State Register and the Environmental Notice Bulletin on December 20, 2023. The department also announced the public comment period and hearing at the Marine Resources Advisory Council meeting held on February 8, 2024 and via the DEC Saltwater Fishing and Boating online newsletter on January 5, 2024.

The department received four comments from four individuals on the proposed rule; two via email and two at the public hearing.

1. Electronic Submission of Vessel Trip Reports by Party and Charter Boat License Holders

The department received two written comments in opposition to the proposed requirement, effective January 1, 2025, that party and charter boat license holders complete and submit fishing vessel trip reports electronically using eTRIPS and submit these reports within 48 hours of the completion of each fishing trip.

One commenter opposed the proposed reporting requirement because the rule is onerous to the party and charter industry. He stated that, during the fishing season, he operates at least two fishing trips a day, and on some days a third. He further stated that he must run fishing trips, maintain his boats, and be prepared to fish the next day and does not have time to complete and submit accurate vessel trip reports. Finally, he stated that he keeps a log of his activities, and after the fishing season, works through the vessel trip reports and submits them to the department.

The second commenter stated that he operates a party and charter boat business with several boats and explained that his boat captains, who have worked with him for 30 plus years, are older and do not work well with new technology. These captains complete paper vessel trip reports, which are then given to the commenter to submit electronically. He further states that he sometimes cannot complete the online vessel trip reports within 48 hours and may take up to seven days to submit the vessel trip reports electronically. He requested that the department consider a one-week period for submission of vessel trip reports.

Department Response:

The department acknowledges and appreciates these comments. It should be noted that 6 NYCRR 40.1(c)(3) currently requires party and charter boat license holders to complete paper vessel trip reports with all required information before the vessel arrives at the dock or lands the catch and that such reports are submitted to the department within 15 days after the end of each month. The proposed electronic submission process does not change this existing requirement to complete reports prior to landing. Rather, the electronic reporting requirement is intended to streamline the reporting process by eliminating the need for submitting paper forms through the mail or in-person. Electronic filing will allow for more efficient data collection and reduce administrative burdens on license holders and the State compared to the current paper-based system. The 48-hour online submission window provides a reasonable timeframe for license holders to enter their already-completed vessel trip reports into SAFIS eTrips using a computer or phone, prior to or after reaching port. In addition, the 48-hour report submission requirement is consistent with the federal reporting regulation for the federal for-hire fleet. The submittal dates described in these two comments are not in compliance with current reporting regulations.

The electronic reporting requirement is effective January 1, 2025. Prior to that date, the department will provide guidance and training for license holders on electronic reporting and how it can be used to streamline their reporting requirements.

2. Confidentiality of data collected via Lobster and Jonah Crab electronic vessel trackers

The department received one comment concerning the proposed requirement that federal lobster trap permit holders install an Atlantic States Marine Fisheries Commission (ASMFC) approved electronic tracking device on their fishing vessels. The commenter did not present a specific position on the rulemaking. More specifically, the commenter stated that the fishery data collected via the required electronic tracking devices must remain confidential and should not be released except for use in assessing risks to the Atlantic northern right whale from fishing gear. The commenter pointed out that fishing areas are considered confidential by the federal government and later stated that planning for offshore wind and aquaculture projects is taking data and perhaps not using it in the way that the fishermen want it used. That would require the fishermen to sign off on any other use of the data.

Department Response:

The department acknowledges and appreciates this comment. The required electronic tracking devices will be used by the department, other state agencies, ASMFC, and NOAA Fisheries to collect high resolution spatial and temporal data to characterize fishing effort in the federal American lobster and Jonah crab fisheries and their intersection with occurrences of the endangered Atlantic northern right whale. These data will also provide precise information for marine spatial planning for offshore wind and aquaculture planning projects.

New York State law (ECL 13-0342) and regulations (new 6 NYCRR Part 38) protect the confidentiality of fisheries data collected from New York State license and permit holders. However, ECL 13-0342 allows the department to release or make public any statistics in aggregate or summary form which does not directly or indirectly disclose the identity or business of any person who submits such data to the department. Any data shared by New York State will be shared in compliance with ECL 13-0342. Any fisheries data submitted to NOAA Fisheries (National Marine

Fisheries Service) is similarly protected by NOAA Administrative Order 216-100.

To remain in compliance with ASMFC fishery management plans (FMPs) for American lobster and Jonah Crab, New York must adopt this rule requiring federal lobster trap permit holders to install an Atlantic States Marine Fisheries Commission (ASMFC) approved electronic tracking device on their fishing vessels. Failure to comply with ASMFC FMPs may result in closure of New York State's American lobster and Jonah Crab fisheries.

3. Other Comments

The fourth comment concerned the restrictions placed on the recreational harvest of Atlantic Striped Bass adopted last year and the impact of these restrictions on the for-hire (party and charter boat) industry in East Hampton, New York. This comment is outside the scope of this rulemaking.

NOTICE OF ADOPTION

Salt Hill State Forest

I.D. No. ENV-10-24-00001-A

Filing No. 535

Filing Date: 2024-06-24

Effective Date: 2024-07-10

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

Action taken: Addition of section 190.41 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101(3)(b), 3-0301(1)(b), (2)(m), 9-0105(1) and (3)

Subject: Salt Hill State Forest.

Purpose: Protection of public safety and natural resources.

Text or summary was published in the March 6, 2024 issue of the Register, I.D. No. ENV-10-24-00001-P.

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

Text of rule and any required statements and analyses may be obtained from: Pine Roehrs, NYS DEC, 21 South Putt Corners Road, New Paltz, NY 12561, (845) 256-3075, email: pine.roehrs@dec.ny.gov

Additional matter required by statute: A Short EAF has been prepared in compliance with Article 8 of the ECL.

Initial Review of Rule

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

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

6 NYCRR Part 664, Freshwater Wetlands Jurisdiction and Classification

I.D. No. ENV-28-24-00025-P

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

Proposed Action: Repeal of Parts 662 and 664; addition of new Part 664 and Appendix 56 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301 and 24-1301; L. 2022, ch. 58, part QQ, section 19

Subject: 6 NYCRR Part 664, Freshwater Wetlands Jurisdiction and Classification.

Purpose: To implement 2022 amendments to Environmental Conservation Law article 24.

Public hearing(s) will be held at: 1:00 p.m., Sept. 10, 2024 at Virtual via WebEx (see DEC website); 6:00 p.m., Sept. 10, 2024 at Virtual via WebEx (see DEC website) and 1:00 p.m., Sept. 12, 2024 at 625 Broadway, Albany, NY.

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

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

Substance of proposed rule (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations#public>): The purpose of this rule making is to implement amendments to the Freshwater Wetlands Act (the Act) adopted on April 9, 2022, that, among other changes, expanded protections to previously unprotected wetlands throughout the State. These changes fundamentally altered the statutory framework of Environmental Conservation Law (ECL) Article 24, and this action is necessary to clarify statutory provisions and guide the Department of Environmental Conservation's (department) implementation of the changes to the Act that take effect January 1, 2025. This action would repeal in its entirety 6 NYCRR Part 664, Freshwater Wetlands Maps and Classification, and replace it with a new Part 664, Freshwater Wetlands Jurisdiction and Classification. In addition, the action would repeal Part 662, Interim Permits, which has not been used by the department for more than 25 years. The following is a summary of each section of the proposed rule.

664.1. Applicability.

This section describes how these regulations apply to other jurisdictions implementing the Act and the relationship of these regulations to other implementing regulations. In addition, this section provides transition periods for projects that have achieved certain development thresholds prior to January 1, 2025, so that those projects may continue without a new freshwater wetlands jurisdictional determination for a specified time period.

664.2. Definitions.

This section provides 36 definitions for terms used throughout the rest of the regulation. Terms defined include: act, adjacent to an urban area, amphibian, census tract, commissioner, contiguous, critically imperiled, delineation, department, essential behavior, flood, flood insurance rate map, floodplain, floodway, freshwater wetland, freshwater wetland boundary, hydrologic unit code or HUC, hydrophytic vegetation, imperiled, initial consultation, jurisdictional determination, local government, nutrient poor wetland, permit, person, plant community, pollution, previously mapped wetland, regulated adjacent area, significant flooding, sub watershed, verified delineation, vernal pool, vernal pool complex, vulnerable, and watershed.

664.3. Purposes and Approach.

This section provides the statutory basis for these regulations and reiterates the benefits of wetlands as stated in ECL Article 24.

664.4. Classification Procedures.

This section describes the procedures for classifying wetlands and includes the requirement to classify wetlands according to the highest class achieved within an individual wetland. In addition, this section clarifies that previously mapped wetlands altered for agricultural purposes would continue to be regulated according to its original classification once exempt agricultural activities cease.

664.5. Classification System.

This section describes the system that classifies wetlands based on 34 characteristics organized into four broad categories: rare species conservation and biodiversity, hydrological and pollution control features, cover types and other special features, and distribution and location. Classifications range from Class I to Class IV. Class I wetlands contain: habitat for endangered or threatened animal species, endangered or threatened plant species, wetlands within a Significant Coastal Fish and Wildlife Habitat Area, tidally influenced wetlands not regulated by New York's Tidal Wetlands Law (ECL Article 25), freshwater wetlands adjacent to tidal wetlands regulated by ECL Article 25, a critically imperiled wetland plant community, a nutrient poor wetland, wetlands within a floodway, and wetlands contiguous with Class A waters. Class II wetlands contain: critically imperiled or imperiled animals, habitat for a high priority Species of Greatest Conservation Need, critically imperiled or imperiled plant species, a Great Lakes coastal wetland, a vernal pool productive for amphibian breeding, an imperiled wetland plant community, wetlands within a 100-year floodplain, wetlands overlying a sole source aquifer, wetlands contiguous with Class B waters, wetlands contiguous with an impaired surface water, three structural groups, floating or submerged aquatic vegetation not dominated by invasive species, wetlands within an urban area, wetlands within a disadvantaged community, or contain wetlands within a potential environmental justice area. Class III wetlands contain: vulnerable animals, wetlands within a 500-year floodplain, wetlands contiguous with Class C waters, shrub-scrub or forested cover types, emergent marsh or wet meadow not dominated by invasive species, a vulnerable wetland plant community, or a wetland that is within a town in which wetland acreage is less than one percent of the total acreage. Class IV wetlands contain: wetlands contiguous to Class D waters, floating or submerged aquatic vegetation dominated by invasive species, or an emergent marsh or wet meadow dominated by invasive species.

664.6. Wetlands of Unusual Importance.

This section provides specific standards for determining which wetlands are of unusual importance under ECL § 24-0107(9) and therefore regulated regardless of size. It clarifies the scope of the 11 statutory unusual importance criteria, namely: wetlands located in watersheds with significant flooding, wetlands in urban areas, wetlands containing rare plants, wetlands containing rare animals, Class I wetlands, Unusual Local Importance wetlands under the previous statutory regime, vernal pools productive for amphibian breeding, wetlands in designated floodways, wetlands previously mapped under the previous statutory regime, wetlands of local or regional significance, and wetlands important for protection of New York State's water quality. For example, regarding watersheds with significant flooding, wetlands would be regulated regardless of size in watersheds that: have two percent or more impervious surface; have less than five percent of its surface area as lakes, ponds, reservoirs, or wetlands; and are located within four kilometers (2.48 miles) of an urban area.

664.7. Miscellaneous Provisions.

This section describes two situations where the regulated adjacent area would be extended beyond the default 100-foot distance. Nutrient poor wetlands would have a 300-foot regulated adjacent area and vernal pools productive for amphibian breeding would have an 800-foot adjacent area. In addition, this section states that two or more wetlands would be treated as a single wetland if they meet two criteria: the wetlands are hydrologically connected, either on the surface or sub-surface, and are no more than 50 meters (approximately 164 feet) apart.

664.8. Jurisdictional Determination Procedure.

This section provides the regulatory process for landowners to obtain jurisdictional determinations and delineations of regulated wetlands. It sets a deadline of 90 days for the department to issue determinations and provides a process for landowners to notify the department if that deadline is missed. Once notified of the missed deadline, the department has 10 days to provide the jurisdictional determination, or the jurisdiction would be waived for 5 years.

664.9. Consultation, and Review of Positive Jurisdictional Determinations.

This section provides a formal process for landowners to appeal a positive jurisdictional determination. The process begins with an initial consultation and an informal evaluation of the site-specific determination and delineation of the wetland boundary. Following the initial consultation, landowners have 120 days to submit an appeal and then the department has 60 or 90 days to issue a decision on that appeal, depending on whether an additional visit to the subject parcel is necessary. Appeals are limited in scope to omissions of material fact and incorrect application of current regulatory criteria or wetland guidance documents.

Text of proposed rule and any required statements and analyses may be obtained from: Roy Jacobson, Jr., Department of Environmental Conservation, 625 Broadway, Albany, New York 12233, (518) 402-8924, email: wetlandregulatorycomments@dec.ny.gov.

Data, views or arguments may be submitted to: Division of Fish and Wildlife, Department of Environmental Conservation, 625 Broadway, Albany, New York 12233, (518) 402-8924, email: wetlandregulatorycomments@dec.ny.gov.

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

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

1. Statutory Authority and Legislative Objectives

The Department of Environmental Conservation (department) is proposing to repeal 6 NYCRR Part 664, Freshwater Wetlands Maps and Classification, and replace it with a new Part 664, Freshwater Wetlands Jurisdiction and Classification. In addition, the action would repeal Part 662, Interim Permits, which has not been used by the department for more than 25 years. The purpose of these regulations is to implement amendments to the Freshwater Wetlands Act (the Act) that take effect January 1, 2025. The department is authorized to adopt these regulations pursuant to Chapter 58, Part QQ, Section 19 of the 2022 Laws of the State of New York and Environmental Conservation Law (ECL) §§ 3-0301 and 24-1301, authorizing the department to adopt regulations implementing the Act.

3. Needs and Benefits

The 2022 amendments to the Act provide increased protections for wetlands that will help the State adapt to increased flooding risk associated with the changing climate and conserve critically important natural resources. In addition, revisions to the Act establish clear jurisdictional criteria providing protections for wetlands of unusual importance.

In preparation of these regulations, the department conducted a comprehensive two-phase outreach plan to engage stakeholders. Phase 1 focused on raising general awareness about wetlands, explaining the statutory changes enacted in 2022, and soliciting input before the department

developed proposed regulatory language. Phase 2 focused on seeking specific stakeholder input on potential regulatory criteria and language through an Advanced Notice of Proposed Rule Making (ANPRM).

The proposed regulations include seven key components for implementing the statutory changes.

A. Expanded Definitions

This section provides 36 definitions for terms used throughout the rest of the regulation.

B. Simplified Classification System

The proposed regulations describe the system that classifies wetlands based on 34 characteristics organized into four broad categories: rare species conservation and biodiversity, hydrological and pollution control features, cover types and other special features, and distribution and location. Classifications range from Class I to Class IV.

C. Unusual Importance Wetlands

The proposed regulations clarify the statutory provisions for the regulation of wetlands of less than the standard 12.4 acre (2025) or 7.4 acre (2028) thresholds if they meet at least one of 11 criteria identified in ECL 24-0108(9). Five of the 11 criteria require no clarification in regulation while the remaining six criteria could benefit from further clarification.

ECL § 24-0107(9)(a) provides that a wetland regardless of size shall be regulated if "it is located in a watershed that has experienced significant flooding in the past or is expected to experience significant flooding in the future from severe storm events related to climate change." Through an iterative process, the department used professional judgement and concluded that watersheds having 2% or greater impervious surface and less than 5% landcover of lakes, ponds, reservoirs, or wetlands, present significant flooding risk when these metrics coincide within areas within 4-kilometers of an urban area.

ECL § 24-0107(9)(d) provides that a wetland, regardless of size, shall be regulated if "it contains habitat for an essential behavior of an endangered or threatened species or a species of special concern as defined under section 11-0535 of this chapter or listed as a species of greatest conservation need in New York's wildlife action plan." This rule proposes to focus regulatory attention on species of greatest conservation need listed in the 2015 New York State Wildlife Action Plan (SWAP) with a moderate to very high threat to wetland species from habitat loss.

ECL § 24-0107(9)(a) provides that a wetland, regardless of size, shall be regulated if "it is classified by the department as a Class I wetland." The department developed the list of Class I wetlands based on their ecological importance, benefits to New Yorkers, and need of protection. This rule making proposes to establish nine Class I characteristics.

ECL § 24-0107(9)(a) provides that a wetland regardless of size shall be regulated if "it is a vernal pool that is known to be productive for amphibian breeding." The department is proposing to use minimum egg mass counts of specific amphibian species documented in individual vernal pools or vernal pool complexes as criteria for determining which vernal pools are productive for amphibian breeding. Minimum egg mass counts vary across five unique geographic regions across the State.

ECL § 24-0107(9)(j) provides that a wetland regardless of size shall be regulated if "it has wetland functions and values that are of local or regional significance." The proposed regulations include two criteria for wetlands of local and regional significance. To protect wetlands that span the boundary of the Adirondack Park, the department is proposing to regulate wetlands that are partially located within the Adirondack Park and under the jurisdiction of the Adirondack Park Agency. In addition, the department proposes to regulate freshwater wetlands of any size when they are specifically referenced by local governments in their written justifications for designation of Critical Environmental Areas, pursuant to 6 NYCRR Part 617.

ECL § 24-0107(9)(k) provides that a wetland, regardless of size, shall be regulated if "it is determined by the commissioner to be of significant importance to protecting the state's water quality." The proposed regulations state a wetland will be regulated if it has significant importance to protecting the State's water quality based on substantial evidence, as determined by the Commissioner in writing. The Commissioner's written determination shall describe the underlying reasons why the wetland is of significant importance to protecting the State's water quality. This may include a description of why the wetland is of significant importance in preventing exceedances of any water quality standards or guidance values derived pursuant to 6 NYCRR Part 702. The Commissioner's determinations shall be posted on the department's website.

D. Extend Adjacent Area

The proposed regulations would extend the regulated adjacent area of Nutrient Poor Wetlands to 300 feet (91.4 meters). Nutrient Poor Wetlands are defined as one of 20 wetland plant communities following the New York Natural Heritage classification system, and include bogs, fens, and other peatlands. These wetlands are nutrient poor and thus highly sensitive to nutrient inputs associated with development. Since direct impacts are typically most harmful within 300 feet of these wetlands, the department

is proposing a 300-foot adjacent area to assure that potential impacts on these sensitive wetlands can be evaluated through the permit review process.

The proposed regulations would extend the adjacent areas to 800 feet (243.9 meters) for vernal pools known to be productive for amphibian breeding as described in Part 664.6(g). The extension of the adjacent area is necessary to protect the long-term viability of amphibians breeding in the productive vernal pools. The department is proposing to establish an 800-foot adjacent area for productive vernal pools based on the median distance encompassing the core habitat requirements from 7 studies of vernal pool breeding salamanders that occur in New York.

E. Treatment of Two Wetlands

The department is proposing to continue the long-standing practice of classifying and regulating two or more freshwater wetlands as a single wetland if they are no more than 50 meters (approximately 164 feet) apart. However, this rule would specify that the wetlands must be hydrologically connected, either on the surface or sub-surface. This change will provide clarity for the regulated community and department staff conducting jurisdictional determinations.

F. Jurisdictional Determination Procedure

The proposed regulations provide a process for landowners to obtain jurisdictional determinations and delineations of regulated wetlands. It sets a deadline of 90 days for making determinations and provides a process for landowners to notify the department if that deadline is missed. Once notified of the missed deadline via certified mail, the department has 10 business days to provide the jurisdictional determination or the jurisdiction would be waived for 5 years.

The proposed regulations also include a jurisdictional determination appeals process beginning with an on-site consultation and wetland delineation. For those still wishing to contest positive determinations, provisions are included enabling them to apply for an appeal within 120 days following field consultations if the basis of their appeal cites missing technical information, incorrect application of jurisdictional criteria, or erroneous applications of the department's freshwater wetlands program guidance. The proposal provides the department 60 days to review and respond to such appeals.

G. Transition Period

To provide for the fair, expeditious and thorough administrative review of freshwater wetlands permits, consistent with ECL § 70-0103, Uniform Procedures, and to balance environmental and economic interests, consistent with ECL § 24-0103, this rule making provides transition periods for projects that have achieved certain development thresholds prior to January 1, 2025, so that those projects may continue without a new freshwater wetlands jurisdictional determination for a specified time period between 3.5 and 2 years.

4. Costs

The proposed rule does not directly impose additional costs to the regulated community, State agencies, or local governments because the rule only clarifies the types and extent of wetlands that will be regulated by the department pursuant to the Act. Small businesses, State agencies and local governments will not be required to expend any additional costs unless they seek to conduct a development activity within a regulated wetland or regulated adjacent area.

Indirect costs to regulated parties, local governments, and State agencies will increase since the acreage of State jurisdictional wetlands will approximately double by 2028 when threshold is reduced from 12.4 acres to 7.4 acres, resulting in an increase in permit applications and application fees collected by the department. To ease the burden on regulated entities, this regulation requires the department to provide jurisdictional determinations and wetland delineations free of charge. However, regulated parties with large and complicated development projects may prefer to hire professional consulting firms to assist in wetland delineation and all the other aspects of the land development process.

Protecting additional wetlands may help to reduce costs from flood damage on landowners, municipalities, and businesses since wetlands provide natural reservoirs that can hold floodwater and reduce the impact of extreme weather events that have costs New Yorkers more than \$26 billion over the past decade.

5. Local Government Mandates

This rule making will not impose any additional mandates for local governments.

6. Paperwork

This rule making does not include any requirement to submit a report, any form, or other paperwork to the department.

7. Duplication

This proposal does not duplicate any State or Federal requirement.

8. Alternatives

This proposed action is necessary to clarify statutory provisions and guide the department's implementation of the changes to the Act that take effect January 1, 2025. Therefore, a no action alternative was never

considered. However, based on stakeholder input from the ANPRM, the department decided to modify the original proposal to include: a transition period for when new jurisdictional determinations would be required for projects which are still in development when the statutory changes take effect on January 1, 2025, a process for when the department misses the 90-day deadline for jurisdictional determinations, and an extended adjacent area surrounding vernal pools known to be productive for amphibian breeding.

9. Federal Standards

Federal wetland protections are implemented pursuant to Section 404 of the Clean Water Act (CWA), which authorizes the Environmental Protection Agency and U.S. Army Corp. of Engineers (USACE) to regulate the discharge of dredged or fill material into Waters of the United States (WOTUS). Under CWA, Federal regulation of freshwater wetlands is limited in scope to only include wetlands sharing continuous surface connection to WOTUS. Some wetlands in New York State are subject to Federal protection and regulated by the department. However, the department's jurisdiction to regulate freshwater wetlands pursuant to the Act is independent of the CWA and any Federal standards.

10. Compliance Schedule

This rule may be adopted following a sixty-day public comment period and a public hearing after publication in the State Register. The statutory amendments that this rule proposes to implement will become effective on January 1, 2025. Regulated parties must comply immediately beginning on the rule's proposed effective date of January 1, 2025. Regulated parties will be notified of the changes to the regulations.

Regulatory Flexibility Analysis

1. Effect of rule:

This rule making is designed to guide the Department of Environmental Conservation's (department) implementation of 2022 amendments to the Freshwater Wetlands Act (the Act). The amendments to the Act will expand the acreage of regulated wetlands across the State beginning on January 1, 2025. This expansion in jurisdiction will increase the number of permits required under the Act. This rule applies statewide to all local governments and any small businesses outside the Adirondack Park engaged in activities that alter regulated freshwater wetlands and regulated adjacent areas. Based on the most recent Empire State Development information on small business, the department estimates that approximately 10% of the 474,542 small businesses in New York State could be involved with land development and potentially need a freshwater wetlands permit pursuant to this rule.

2. Compliance requirements:

This rule making does not require any reporting, record keeping, or other affirmative act for any small business or local government.

3. Professional services:

No professional services are required of small businesses or local governments to comply with the provisions of this rule making. However, the department's expanded jurisdiction over freshwater wetlands will mean that small businesses and local governments might need to hire professional services more frequently to help them navigate the regulatory process when pursuing large and complicated projects. The extent of professional services needed for a project are site-specific and would depend on the nature of the activity and the adverse impacts on the wetland. Permits issued by the department for small scale projects that impact regulated wetlands generally require little, if any, professional services, while permits for large and complicated development projects usually require professional services because those projects involve highly technical mitigation plans to compensate for losses of wetlands.

To limit the potential need for professional services, these proposed regulations provide procedures for landowners to request jurisdictional determinations and wetland delineations free of charge.

4. Compliance costs:

The proposed regulations do not require any initial capital costs nor any annual costs for small business or local governments because the rule only clarifies the types and extent of wetlands that will be regulated under the Act, as amended in 2022. Small businesses and local governments will not be required to expend any additional costs unless they seek to conduct a development activity within a regulated wetland or regulated adjacent area, or for nutrient poor wetlands and vernal pools, within 300 feet or 800 feet, respectively. Projects requiring permits will be subject to application fees, as provided in Environmental Conservation Law (ECL) Article 70, that are commensurate with the scope of the project and potential impacts. For example, projects covered by general permits will not require application fees. Projects to construct a single-family dwelling will require a \$300 application fee, while large commercial development projects will require a \$1,000 fee.

5. Economic and technological feasibility:

The proposed regulations clarify statutory provisions regarding which wetlands are regulated under the Act and does not directly place any additional requirements on small businesses or local governments engaged

in land development. While the department estimates that the statutory changes being implemented with this rule will indirectly result in increases in wetland permitting, small businesses and local governments engaged in land development already address these types of regulatory requirements as part of the project development process. Thus, the implementation of this rule making is both economically and technologically feasible.

6. Minimizing adverse impact:

This rule making proposes a transition period, during which time, projects that achieved certain development thresholds before January 1, 2025, may continue without a new jurisdictional determination. This provides for the fair, expeditious, and thorough administrative review of freshwater wetlands permits, consistent with ECL § 70-0103 (Uniform Procedures), and properly balances environmental and economic interests, consistent with ECL § 24-0103. Projects requiring a freshwater wetlands permit, under the existing regulatory provisions, may proceed without a new jurisdictional determination until expiration of the issued permit. After the permit expires, applicants will need a new jurisdictional determination that incorporates all the regulatory provisions described in this rule making prior to applying for a new permit. Projects that do not require a freshwater wetlands permit, under the existing regulatory provisions, may proceed without a new freshwater wetlands jurisdictional determination for either 3.5 or 2 years if they meet at least one of the three thresholds in proposed 6 NYCRR 664.1 (c) and (d). Applicants will need a new jurisdictional determination that incorporates all the regulatory provisions described in this rule making following the designated time frame or if their project does not meet one of the three thresholds.

7. Small business and local government participation:

The department conducted a comprehensive two-phase outreach plan to engage a wide range of stakeholders and solicit input for the development of this rule making. Phase 1 focused on raising general awareness about wetlands, explaining the statutory changes, and soliciting input before the department drafted regulatory language. Phase 1 included multiple in-person and remote meetings with more than 30 stakeholder groups representing small business interests, local governments, and other groups. Phase 2 focused on seeking specific input from stakeholders on potential regulatory language through an Advanced Notice of Proposed Rule Making (ANPRM). Phase 2 included more formal efforts to elicit feedback from stakeholders and included publication of the ANPRM in the State Register and the department's Environmental Notice Bulletin (ENB). The ANPRM included pre-proposal draft regulatory text and questions targeting eight specific areas of interest. To assure stakeholders representing small businesses and local governments had an opportunity to participate in the ANPRM, the department sent email messages to all stakeholders involved in the Phase 1 outreach, as well as other interested groups representing small business interests including realtors, property developers, loggers, and environmental consultants to inform them of the ANPRM. In addition, the department conducted more than a dozen webinars to describe the ANPRM and solicit direct feedback. Combined, these webinars reached more than 1,300 participants. This rule making incorporates feedback on the ANPRM from stakeholders, including small businesses and local governments. In addition to previous outreach to small businesses and local governments, the department will notice these proposed regulations in the department's ENB, will send email messages to all stakeholders involved in Phase 1 and 2 outreach activities, and will schedule informational webinars to explain the regulations.

8. Initial review of rule:

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

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

For purposes of this Rural Area Flexibility Analysis, "rural area" means those portions of New York State (State) so defined by Executive Law section 481(7). SAPA section 102(10). Under Executive Law section 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, programs and such other entities or resources as are found therein. In counties of two hundred thousand or greater population, 'rural areas' means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein."

There are 44 counties in the State that have populations of less than 200,000 people and 71 towns in non-rural counties where the population densities are less than 150 people per square mile. This rule applies to all rural areas of the State outside the Adirondack Park.

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

This proposed regulation does not require any reporting or record keeping for private landowners or municipalities in rural areas. This rule making expands the scope of the jurisdiction of the Department of Environmen-

tal Conservation (department) to regulate freshwater wetlands. Under existing regulations, landowners seeking to conduct a regulated activity within a regulated wetland or regulated adjacent area often hire professional consultants to assist with the development process. The increased scope of jurisdiction means it is likely that an increased number of landowners proposing to conduct an activity within a regulated wetland or regulated adjacent area may seek professional services to assist with the development process. However, the extent of those compliance requirements, necessitating professional services, would be site-specific and would depend on the nature of the activity and the adverse impacts on the wetland.

Permits issued by the department for small projects that impact regulated wetlands or their adjacent area only require best management practices during construction activities, while permits for large and complicated development projects could require highly technical mitigation plans to compensate for losses of wetlands. Therefore, permits for smaller projects generally do not require professional services while large projects do require these services.

To limit the potential need for professional services, this rule provides procedures for landowners to request jurisdictional determinations and wetland delineations free of charge.

3. Costs:

The proposed regulations do not require any initial capital costs nor any annual costs because the rule only clarifies the types and extent of wetlands that will be regulated under the Freshwater Wetlands Act (the Act), as amended in 2022. Since its inception, the Act has provided substantial exemptions for normal agricultural activities and ordinary maintenance and repair of existing structures. These exemptions will continue when the changes to the Act take effect in January 2025. Landowners are not required to expend any additional costs unless they seek to conduct a development activity within a regulated wetland or regulated adjacent area and do not meet the exemptions mentioned above. Projects requiring permits will be subject to statutory application fees that became effective in January 2023 that are commensurate with the scope of the project and potential impacts. For example, projects covered by general permits will not require application fees. Projects to construct a single-family dwelling will require a \$300 application fee, while large commercial development projects will require a \$1,000 fee.

4. Minimizing adverse impact:

The purpose of this rule making is to implement amendments to the Act that expand protections to previously unprotected wetlands throughout the State, in part, so New York would be prepared for more frequent and intense storm events resulting from a changing climate. Protecting additional wetlands pursuant to this rule will help minimize adverse impacts in rural areas by maintaining the capacity of the land to hold water, thereby reducing the risk of damage to human infrastructure and reducing costs on rural communities when infrastructure damaged by flood events must be replaced. While wetlands provide many benefits to rural communities, expanded jurisdiction based on the statutory changes will result in the need for more wetland permits.

5. Rural area participation:

The department conducted a comprehensive two-phase outreach plan to engage a wide range of stakeholders and solicit input for the development of this proposed regulation. Phase 1 focused on raising general awareness about wetlands, explaining the statutory changes, and soliciting input before the department drafted regulatory language. Phase 1 included multiple in-person and remote meetings with more than 30 stakeholder groups representing rural municipalities, agriculture, forest products, land trusts, and other groups. Phase 2 focused on seeking specific stakeholder input on potential regulatory language through an Advanced Notice of Proposed Rule Making (ANPRM). Phase 2 included more formal efforts to elicit feedback from stakeholders and included publication of the ANPRM in the State Register and the department's Environmental Notice Bulletin (ENB). The ANPRM included pre-proposal draft regulatory text and questions targeting eight specific areas of interest. To assure stakeholders from rural areas had an opportunity to participate in the ANPRM, the department sent email messages to all stakeholders involved in the Phase 1 outreach, as well as other interested groups representing rural interests such as loggers, representatives from the wood products industries, realtors, and builders to inform them of the ANPRM. In addition, the department conducted more than a dozen webinars to describe the ANPRM and solicit direct feedback. Combined, these webinars reached more than 1,300 participants. Feedback on the ANPRM from stakeholders in rural areas was incorporated into the proposed regulations.

Job Impact Statement

1. Nature of impact:

This rule making is being proposed to clarify amendments to the Freshwater Wetlands Act (the Act) that will expand the acreage of regulated wetlands across the State. This expansion will increase the number of development projects that require permits under the Act. This

rule making could potentially impact the three general aspects of the project development process, namely design, permitting, and construction. The Department of Environmental Conservation (department) evaluated these three aspects of the development process and concluded that this rule making will have no substantial adverse impacts on jobs and employment opportunities. Landowners proposing to conduct regulated activities within regulated freshwater wetlands or regulated adjacent areas will likely continue to hire consultants, engineers, and builders to design and construct projects, as well as help them acquire the necessary government approvals.

2. Categories and numbers affected:

The department estimates that the statutory changes being implemented by this rule making will result in an approximate doubling of regulated wetland acreage with a comparable increase in wetland permitting. Based on the 10-year average annual freshwater wetland permit application rate of 1,320 per year under existing statutory provisions, the department anticipates receiving approximately 2,600 applications per year under the proposed regulation. This increase in applications is unlikely to create an adverse change in jobs or employment opportunities in design, permitting, or construction of projects, rather it may generate more work opportunities for those engaged in project design and consultation. Design and construction of most projects will likely occur regardless of any increase in permitting requirements; therefore, the department does not anticipate a substantial adverse impact on design and construction jobs. While permitting requirements will increase, developers of large projects currently hire environmental professionals to help them navigate all three aspects of the project development process. Therefore, the department has concluded that this rule making will have no substantial adverse impacts on jobs and employment opportunities.

3. Regions of adverse impact:

No substantial adverse impacts on jobs and employment opportunities will result from this rule making. Therefore, no regions of the State will be adversely impacted.

4. Minimizing adverse impact:

While the department does not anticipate any substantial adverse impacts on jobs and employment opportunities, these proposed regulations may increase the need and value of consulting services and companies engaged in consulting services to assist large development projects.

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

Trout Stream Fishing Regulations

I.D. No. ENV-28-24-00020-P

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

Proposed Action: Amendment of section 10.3 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301, 11-0303, 11-1301 and 11-1303

Subject: Trout Stream Fishing Regulations.

Purpose: To align select trout stream regulations with DEC’s Trout Stream Management Plan and amend tidal trout regulations.

Text of proposed rule: § 10.3 Additional special fishing regulations for certain inland waters.

Existing paragraph 10.3(c)(1) is amended to read as follows:

(1) Region 1 (Nassau and Suffolk counties)

(i)	<i>Nassau and Suffolk County streams except as listed below</i>	<i>From mouth to source</i>	<i>Trout, April 1 through October 15, Daily Limit-5 with no more than 2 longer than 12"</i> <i>Trout, October 16 through March 31, Catch and release only</i>
[(i)] (ii)	Beaver Brook and tributaries	From Beaver Lake upstream to source	Brook Trout, All year, Catch and Release only
[(ii)] (iii)	Beaverdam Creek and tributaries	From mouth upstream to Sunrise Highway	Brook Trout, All year, Catch and Release only
[(iii)] (iv)	Tributaries to Blydenburgh Lake	From Blydenburgh Lake to source	Brook Trout, All year, Catch and Release only

[(iv)] (v)	Carmans River and tributaries (Southaven County Park)	From Cement Dam upstream to Yaphank Avenue	Brown and Rainbow Trout, April 1 through October 15, Daily Limit-3 with no more than 1 longer than 12"
			Brook Trout, [All year] <i>April 1 through October 15, Catch and Release only</i> Fly fishing only
		From Hards Lake upstream to the Cement Dam	Brown and Rainbow Trout, April 1 through October 15, Daily limit-3 with no more than 1 longer than 12"
			Brook Trout, [All year] <i>April 1 through October 15, Catch and Release only</i>
		From Bellport Bay upstream to the Hards Lake dam	Brook Trout, All year, Catch and Release only
			Brown and Rainbow Trout, [April 1 through October 15] <i>All year, Daily Limit-5 with no more than 2 longer than 12"</i>

[(v)] (vi)	Connetquot River and tributaries	Within Connetquot River State Park	Park Regulations apply
		From the Great South Bay upstream to dam at Montauk Highway	Brook Trout, All year, Catch and Release only
			[Brown and Rainbow Trout, October 16 through March 31, Catch and release only]
			Brown and Rainbow Trout, [April 1 through October 15] <i>All year, Daily Limit-5 with no more than 2 longer than 12"</i>
			[Brown and Rainbow Trout, October 16 through March 31, Catch and release only]
[(vi)] (vii)	Massapequa Creek and tributaries	From Massapequa Lake upstream to Northwest Drive	Brook Trout, All year, Catch and Release only
[(vii)] (viii)	Mud Creek and tributaries	From Patchogue Bay upstream to Sills Road	Brook Trout, All year, Catch and Release only

(i)	Cayuta Creek	<i>0.3 miles upstream of Wyncoop Creek Road upstream to 0.5 miles upstream of State Route 13 [From Tioga County Line upstream to Swan Hill Road]</i>	Stocked Extended
-----	--------------	--	------------------

Existing item 10.3(f)(6)(g)(x) is amended to read as follows:

(x)	Goose Creek	[From NYS Rt 474 in Ashville] <i>From 0.5 miles downstream of County Route 35 upstream to Wall Street</i>	Stocked Extended
-----	-------------	---	------------------

Existing items 10.3(f)(6)(g)(xii) through (xviii) are renumbered to (xiii) through (xix).

A new item 10.3(f)(6)(g)(xii) is added as follows:

(xii)	Ischua Creek	From Coal Chutes Road upstream to Franklinville/Farmersville Town Line	Stocked Extended
-------	--------------	--	------------------

Text of proposed rule and any required statements and analyses may be obtained from: Gregory Kozlowski, New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12233, (518) 402-8896, email: gregory.kozlowski@dec.ny.gov

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

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

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

Regulatory Impact Statement

1. Statutory authority:

Section 3-0301 of the Environmental Conservation Law (ECL) establishes the general functions, powers, and duties of the Department of Environmental Conservation (DEC) and the commissioner, including general authority to adopt regulations. Section 11-0303 of the ECL authorizes DEC to provide for the management and protection of the State’s fisheries resources. Sections 11-1301 and 11-1303 of the ECL empower DEC to fix by regulation open seasons, size and catch limits, and the manner of taking of all species of fish, except certain species of marine fish (listed in section 13-0339 of the ECL), in all waters of the State.

2. Legislative objectives:

Implementation of daily possession limits and minimum size limits are the tools used by DEC in achieving the intent of the legislation referenced above. Possession and minimum size limits are necessary to maintain quality fisheries and ensure that adequate numbers survive to perpetuate fisheries and provide an equitable distribution of fish to anglers.

3. Needs and benefits:

In 2020, DEC released the New York State Trout Stream Management Plan (TSMP) to guide the efforts and resources of DEC to manage New York’s trout stream fisheries according to their ecological and recreational potential. The TSMP established five trout stream reach management categories based on measurable criteria that clearly define fisheries management objectives. Fishing regulations are tied to the management category objectives. The TSMP calls for trout stream reach management categories to be adjusted as new information is obtained through the results of biological surveys and angler use estimates. The proposed amendments to 6 NYCRR section 10.3 are commensurate with the TSMP. Amendments are also proposed to extend the brown and rainbow trout season to provide year-round fishing opportunities on select Suffolk County tidal streams. The proposed amendments include:

1. Creating a Wild-Quality reach on Camden Creek.
2. Creating a Stocked-Extended reach on Ischua Creek.
3. Shortening Stocked-Extended regulations on Cayuta Creek, Goose Creek, and Wappinger Creek.
4. Eliminating Stocked-Extended regulations on Cayadutta Creek and West Branch Limestone Creek.
5. Clarifying that the Inland Trout Stream regulations apply to Nassau and Suffolk County streams.
6. Aligning the Catch-and-Release Brook Trout season with the Brown and Rainbow Trout season on the Carmans River.
7. Extending the Brown and Rainbow Trout season to year-round on select Suffolk County tidal streams.

The benefit of implementing these regulations is that these trout streams are managed at their ecological and recreational potential.

4. Costs:

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

5. Local government mandates:

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

6. Paperwork:

No additional paperwork will be required as a result of this proposed rule change.

7. Duplication:

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

8. Alternatives:

No change: Maintaining existing regulations for these reaches would be inconsistent with the TSMP and prevent managing these reaches in a sound and applied manner. It would also inhibit DEC’s ability to provide anglers with the diverse array of distinct trout stream fishing experiences presented in the TSMP.

9. Federal standards:

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

10. Compliance schedule:

These regulations will be in effect on April 1, 2025, which corresponds with the effective date of the 2025 version of the Fishing Regulations Guide. Regulated persons are expected to comply with these regulations once they take effect.

Regulatory Flexibility Analysis

This rulemaking would amend the Department of Environmental Conservation’s (DEC) regulations found in Title 6, Chapter I, Subchapter C, Section 10.3 of the New York State Codes, Rules and Regulations governing fishing regulations. This rulemaking is necessary to align select trout stream regulations with DEC’s Trout Stream Management Plan and amend tidal trout regulations.

The DEC does not anticipate any negative effects on small businesses and local governments because these changes will not result in a loss of angling opportunity or diminish opportunities for taking fish or impose any compliance requirements, professional services or costs to small businesses and local governments. Therefore a regulatory flexibility analysis for small businesses and local governments is not required.

Rural Area Flexibility Analysis

This rulemaking would amend the Department of Environmental Conservation’s (DEC) regulations found in Title 6, Chapter I, Subchapter C, Section 10.3 of the New York State Codes, Rules and Regulations governing fishing regulations. This rulemaking is necessary to align select trout stream regulations with DEC’s Trout Stream Management Plan and amend tidal trout regulations.

The DEC does not anticipate any negative impacts to rural areas because these changes do not impose any costs or compliance-related reporting, recordkeeping or other compliance requirements in rural areas. Therefore a rural flexibility analysis is not required.

Job Impact Statement

This rulemaking would amend the Department of Environmental Conservation’s (DEC) regulations found in Title 6, Chapter I, Subchapter C, Section 10.3 of the New York State Codes, Rules and Regulations governing fishing regulations. This rulemaking is necessary to align select trout stream regulations with DEC’s Trout Stream Management Plan and amend tidal trout regulations.

The DEC does not anticipate any negative impacts to rural areas because these changes do not impose any costs or compliance-related reporting, recordkeeping or other compliance requirements in rural areas. Therefore a rural flexibility analysis is not required.

New York State Gaming Commission

NOTICE OF ADOPTION

Claiming Rules Revisions in Thoroughbred Racing

I.D. No. SGC-06-24-00004-A

Filing No. 536

Filing Date: 2024-06-24

Effective Date: 2024-07-10

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

Action taken: Amendment of sections 4038.1, 4038.3 and 4038.4 of Title 9 NYCRR.

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

Subject: Claiming rules revisions in Thoroughbred racing.

Purpose: To improve the claiming process in Thoroughbred racing.

Text or summary was published in the February 7, 2024 issue of the Register, I.D. No. SGC-06-24-00004-P.

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

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

Initial Review of Rule

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

Assessment of Public Comment

Two comments were received. The New York Racing Association, Inc. ("NYRA"), which is the franchised corporation in New York conducting racing at Aqueduct, Belmont Park and Saratoga Race Course, expressed support for the proposal. Chris Mancusi, who says he lost many dispositions by lot of claims on the NYRA circuit and had been thereby prevented from claiming a horse at a subsequent NYRA meet, expressed support for the proposal.

NOTICE OF ADOPTION

Change of Gaming Commission Address

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

Filing No. 537

Filing Date: 2024-06-24

Effective Date: 2024-07-10

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

Action taken: Amendment of sections 4011.29, 4043.12, 4045.1, 4081.1, 4116.4, 4122.49, 4217.16, 4627.8, 4831.8, 5000.4, 5000.8, 5014.17, 5400.1, 5401.1 and 5401.3 of Title 9 NYCRR.

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

Subject: Change of Gaming Commission address.

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

Text or summary was published in the April 10, 2024 issue of the Register, I.D. No. SGC-15-24-00011-P.

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

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

Assessment of Public Comment

The agency received no public comment.

Department of Health

NOTICE OF ADOPTION

Statewide Health Information Network for New York (SHIN-NY)

I.D. No. HLT-07-24-00015-A

Filing No. 549

Filing Date: 2024-06-25

Effective Date: 2024-07-10

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

Action taken: Amendment of Part 300 of Title 10 NYCRR.

Statutory authority: Public Health Law, sections 201, 206(1), (18-a)(d), 2803, 2816, 3612, 4010, 4403 and 4712

Subject: Statewide Health Information Network for New York (SHIN-NY).

Purpose: To establish the State Designated Entity and Enhancing SHIN-NY Efficiency and Flexibility.

Substance of final rule: Public Health Law sections 206(18-a)(d) and 2816 give the Department broad authority to promulgate regulations, consistent with federal law and policies, that govern the Statewide Health Information Network for New York (SHIN-NY).

These amendments support the development of the statewide data infrastructure, thereby increasing interoperability and providing the flexibility necessary for the SHIN-NY to adapt in a constantly evolving technological environment. The goal of these amendments is to ensure consistency across the SHIN-NY in how SHIN-NY participants connect and exchange data, to support public health during emergencies and to assist with Medicaid reporting in support of the Medicaid program's Social Security Act section 1115 waiver (see 42 USC § 1315).

In order to promote efficiency through the development of network-wide policies, processes, and solutions, these amendments create a process to develop the statewide data infrastructure that will facilitate the exchange of data among SHIN-NY participants. Relevant activities required of the Department or its contracted vendor under the amendments include enhancement of the data matching process for patient demographic information submitted by SHIN-NY participants, creation of a statewide provider directory to serve as a standardized resource for resolving provider and facility identities, development of a statewide patient consent management system, and the aggregation of data from SHIN-NY participants in a secure statewide repository.

In addition, under these regulations, the Department will create a statewide common participation agreement to be used by each qualified entity and which will allow SHIN-NY participants to connect to the statewide data infrastructure by agreeing to participate in the SHIN-NY and adhering to SHIN-NY policy guidance. This will allow patient data to be contributed to the statewide data infrastructure and used for statewide reporting and analytics for public health activities and Medicaid purposes, to the extent authorized by law. Any disclosure of data from the statewide data repository, a component of the statewide data infrastructure, will be in accordance with the SHIN-NY policy guidance reviewed and approved by relevant stakeholders through the statewide collaboration process.

This will further promote consistency and efficiency across the SHIN-NY by requiring the qualified entities to use and accept network-wide agreements and patient consent decisions. The statewide common participation agreement will eliminate the current variation in the terms and conditions applicable to participating in the SHIN-NY through one qualified entity versus another. The amendments also reduce ambiguity by requiring qualified entities to honor and implement patient consent decisions that authorize data access by treating providers across the network, regardless of which qualified entity such providers have contracted with, to participate in the SHIN-NY.

This amendment will further the Legislature's intent under chapter 54 of the Laws of 2023, which appropriated an additional \$2.5 million "for modernizing health reporting systems." By clarifying the data reporting and aggregation responsibilities applicable to the qualified entities, the proposed amendments will transform the SHIN-NY into a functional resource for the analysis and reporting of statewide health information for authorized public health and health oversight purposes.

Final rule as compared with last published rule: Nonsubstantial changes were made in sections 300.1(m), (o), (p), 300.2(j), 300.3(b)(7), 300.4(a)(2), (b)(2) and (c)(5).

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

Revised Regulatory Impact Statement

Statutory Authority:

Public Health Law (PHL) § 206(18-a)(d) authorizes the Commissioner to make such rules and regulations as may be necessary to enable widespread, non-duplicative interoperability among disparate health information systems, including electronic health records, personal health records, health care claims, payment and other administrative data and public health information systems, while protecting patient privacy and ensuring data security. In addition, PHL sections 201, 206(1), 2803, 2816, 3612, 4010, 4403, and 4712 authorize the Commissioner to make such rules and regulations as may be necessary to effectuate the provisions and purposes of PHL Articles 28 (hospitals), 36 (home care services), 40 (hospice), 44 (health maintenance organizations) and 47 (shared health facilities) and provide additional authority for the Commissioner to create and make use of the Statewide Health Information Network for New York (SHIN-NY).

Legislative Objectives:

The explicit legislative objective of PHL § 206(18-a) is the promotion of widespread, non-duplicative interoperability among disparate health information systems and data types, including electronic health records, personal health records, health care claims, payment and other administrative data and public health information systems, while protecting patient privacy and ensuring data security. Such interoperability is intended to improve patient outcomes, minimize unnecessary service utilization, and reduce health care costs by fostering efficiency and supporting care coordination.

Existing regulations at 10 NYCRR Part 300 advanced these legislative objectives by establishing requirements for the regional health information organizations (RHIOs) that were created as health information exchanges in New York State. Under the provisions of Part 300, the RHIOs became the qualified entities (QEs) that facilitate the exchange of health information in the SHIN-NY. These regulatory amendments will further the legislative intent by making it easier for health care providers, health plans, and governmental agencies to become SHIN-NY participants and access the SHIN-NY through the use of a statewide common participation agreement, while ensuring patient privacy and data security.

Needs and Benefits:

Pursuant to the current regulation, responsibility for the development and maintenance of SHIN-NY policies and technical infrastructure is divided between the QEs and the Department. In practice, this division of oversight and operational responsibilities has resulted in the deployment of disparate forms, processes, and technology solutions across the network. The proposed amendments are necessary to support the development of the statewide data infrastructure, thereby increasing interoperability and providing the flexibility necessary for the SHIN-NY to adapt in a constantly evolving technological environment. The goal of these amendments is to ensure consistency across the SHIN-NY in how SHIN-NY participants connect and exchange data, and to support the sharing of information for public health purposes, such as the Medicaid program's Social Security Act section 1115 waiver (see 42 USC § 1315).

In order to promote efficiency through the development of network-wide policies, processes, and solutions, these amendments create a process to develop the statewide data infrastructure that will facilitate the exchange of data among SHIN-NY participants by enhancing the matching of patient demographic information submitted by SHIN-NY participants, with a statewide provider directory, and statewide consent management system.

In addition, under these regulations, the Department will create a statewide common participation agreement to be used statewide by each qualified entity whether the participant connects through a qualified entity or directly through the statewide infrastructure. This will enable SHIN-NY participants to connect with the statewide data infrastructure and contribute patient data. Furthermore, the statewide common participation agreement will allow the use of such data for statewide reporting and analytics for public health activities and Medicaid purposes, consistent with applicable law. The regulations define the terms "public health activities" and "Medicaid purposes" and the SHIN-NY policy guidance sets forth the instances in which a participant may disclose protected health information to the Department, without affirmative consent of the patient.

The regulations will further promote consistency and efficiency across the SHIN-NY by requiring the QEs to use and accept network-wide agreements and patient consent decisions. The statewide common participation agreement will eliminate the current variation in the terms and conditions applicable to participating in the network through one QE versus another. The regulatory amendments will also reduce ambiguity by requiring QEs to honor and implement patient consent decisions that authorize data access by treating providers across the network, regardless of which QE such providers have contracted with to participate in the SHIN-NY.

These amendments will also further the Legislature's intent under chapter 54 of the Laws of 2023, which appropriated an additional \$2.5 million "for modernizing health reporting systems." As the COVID-19 and requirement to use the Hospital Emergency Reporting Data System (HERDS) for crucial public health reporting pandemic demonstrated, the current framework for SHIN-NY data collection and reporting is insufficient to enable timely analysis and decision making in situations involving an emergent public health concern. By providing for a statewide data infrastructure and explicitly requiring all SHIN-NY participants to submit data for aggregation, these amendments will ensure that facilities and the Department are not required to navigate and implement an ad-hoc or emergency data collection procedure during future public health scenarios of urgent concern. Additionally, it will enable more efficient reporting for healthcare facilities.

Moreover, interoperability and analytics based on data from the SHIN-NY will be a key component of the Department's mandatory reporting in relation to the Medicaid program's Social Security Act section 1115 demonstration project and associated waiver. Whereas the current regulation merely authorizes the QEs to disclose patient information without written consent to a public health authority or health oversight agency, the proposed amendments will require the QEs and SHIN-NY participants to submit data using the statewide data infrastructure, both on a regular basis and in response to ad-hoc requests from the Department or its designated contractor. By clarifying the data reporting and aggregation responsibilities applicable to the QEs and the permissible uses of such data by the Department or its designated contractor, the proposed amendments will transform the SHIN-NY into a functional resource for the analysis and reporting of statewide health information for authorized public health and health oversight purposes.

Beyond supporting interoperability and consistency across the network for QEs and SHIN-NY participants and clarifying the data reporting obligations of both, these regulations also address the need to allow for providers to connect directly to the statewide data infrastructure and participate in SHIN-NY data exchange and data reporting without a qualified entity acting as intermediary. To that end, the definition of "qualified entity participant" has been changed to refer to "SHIN-NY participants," which will account for the possibility that provider organizations may participate in the SHIN-NY without contracting with one of the qualified entities. In such circumstances, the provider organization would enter into the statewide common participation agreement with the Department or its designated contractor, under which the organization would agree to adhere to applicable SHIN-NY policies and provide data to other SHIN-NY participants and the Department for data reporting and aggregation. To create an option for such direct connection to the statewide data infrastructure as an alternative to connecting through one of the qualified entities, subdivision 300.6(c)(4) is amended to exempt a health care facility that demonstrates "the technical capacity for private and secure bi-directional access, executes a statewide common participation agreement, and connects to the SHIN-NY using the statewide data infrastructure" from the requirement to enter into a participation agreement with a qualified entity. These changes reflect the fact that health information technology has rapidly advanced since the inception of the SHIN-NY, to the point where most larger health systems now possess the technical capacity to connect to and retrieve data from a statewide network without the assistance of a dedicated health information exchange partner or may exchange through electronic health record networks established at the national level.

These regulations account for the possibility that the Department, its designated contractor, and/or other types of health care organizations or other national networks might provide data and/or services through the SHIN-NY in the future. Data and services may be provided through the SHIN-NY by the Department, by its designated contractor, or by other SHIN-NY participants that meet the minimum technical, security, privacy, organizational and other requirements set forth by the Department. Along with the provisions that authorize providers to connect directly to the SHIN-NY, this change will support the shift to an ecosystem model for New York's health information system in favor of the current system under which participation is restricted to those organizations that contract and follow the policies of the certified QEs.

Finally, these amendments will promote the development of a statewide provider directory and consent management system, both of which have been longstanding goals for the Department and will contribute substantially to the modernization of New York's health reporting system once implemented.

Costs:

Costs to Private Regulated Parties:

The private parties subject to the proposed amendments are the QEs and SHIN-NY participants. To the extent that any expenditures are necessary by QEs in order to comply with these amendments, such expenditures are expected to continue to be reimbursed using money appropriated to the Department's designated contractor. It is not anticipated that SHIN-NY

participants will incur any costs as a result of these amendments. Most regulated facilities are currently connected to the SHIN-NY via a qualified entity. The amendments are also intended to allow the alignment of SHIN-NY interoperability requirements with interoperability requirements from the federal Department of Health and Human Services. By aligning with federal interoperability requirements, this should create more efficiency by leveraging interoperability standards currently built into electronic health records.

Costs to Local Government:

This proposal will not impact local governments unless they operate a health care facility, in which case the impact would be the same as outlined above for private parties.

Costs to the Department of Health:

While there will be costs to build the statewide data infrastructure initially, those costs have already been budgeted. It is anticipated there will be greater efficiency in how technology is deployed in the SHIN-NY. Initial outlays will be funded through a \$2.5million increase in the budget appropriation that occurred in the SFY 2023-2024 budget.

Costs to Other State Agencies:

The proposed regulatory changes will not result in any additional costs to other State agencies.

Local Government Mandates:

Health facilities operated by local governments will be required to comply with these amendments in the same manner as other facilities. The regulation is not anticipated to impose any direct costs on SHIN-NY participants, including local health departments.

Paperwork:

No new paperwork requirements would be imposed under the proposed amendments. Any consent forms that are developed will replace current consent forms and deployed can be done electronically. Additionally, there will be less variation in consent forms because of a consistent consent form developed by the Department.

Duplication:

This regulation will not conflict with any state or federal rules.

Alternatives:

An alternative to the proposed regulation would be not to make any amendments to 10 NYCRR Part 300 regulations. However, these amendments are necessary to fulfill the legislature’s objective of creating an efficient statewide health information network that serves as a resource for patients, providers, and public health officials across the State. These regulations are essential to improve the long-term efficacy of the SHIN NY and therefore the alternative of not making any amendments to the regulation was not considered viable.

Federal Standards:

The proposed amendments do not duplicate or conflict with any federal regulations. These amendments will complement the Office of the National Coordinator for Health Information Technology (ONC) Final Rule implementing certain provisions of the 21st Century Cures Act (85 Fed. Reg. 25642, May 1, 2020), which requires patient information to be accessible under application programming interface (API) requirements and prohibits actions that constitute information blocking. See 42 USC § 300jj–11 et seq.

Compliance Schedule:

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

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

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

Initial Review of Rule

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

Assessment of Public Comment

The Department received comments from Statewide Health Information Network for New York (SHIN-NY) qualified entities, associations representing health care providers, hospitals, and federally qualified health centers, a non-profit organization, and a government agency. Several comments were supportive of the regulation and of the intent to modernize the SHIN-NY. Several commenters also requested clarification regarding the Medicaid reporting use cases and public health activities that would permit the Department to access data in the statewide data infrastructure and statewide data repository. The Department emphasizes that any such access will be made in accordance with applicable federal and state law, and pursuant to a review and approval process to be established in consultation with stakeholders through the statewide collaboration process. The Department also received questions regarding the ability of SHIN-NY participants to connect to the network directly, and suggestions regarding the composition of SHIN-NY committees and workgroups.

In response to public comments, references to “public health surveillance” have been changed to “public health activities,” the term that is used in the federal Health Insurance Portability and Accountability Act (HIPAA) standards. Also, definitions of “public health activities” and “Medicaid purposes” have been added to the definitions in section 300.1 of the regulation. The Department also updated the Regulatory Impact Statement to indicate that the regulation will “create an option” for providers to connect directly to the SHIN-NY “as an alternative to connecting through” one of the qualified entities. In addition, the word “specific” was removed from paragraph 300.4(b)(2) to make clear that community-wide consents, which are already approved by the Department, will continue to be permitted under the regulation. In subdivision 300.1(m), the phrase “in accordance with SHIN-NY policy guidance” has been replaced with the phrase “consistent with applicable law.” Finally, language in subdivision 300.2(j) has been amended to make clear that the reference is to a qualified entity or third-party entity that facilitates a SHIN-NY participant’s connection, not to the Department’s “designated contractor,” which is the New York eHealth Collaborative (NYeC).

NOTICE OF EXPIRATION

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

Humane Euthanasia of Animals

I.D. No.	Proposed	Expiration Date
HLT-25-23-00002-P	June 21, 2023	June 20, 2024

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

Emergency Medical Services Equipment Requirements for Certified Ambulance and Emergency Ambulance Service Vehicles

I.D. No. HLT-28-24-00021-P

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

Proposed Action: Repeal of sections 800.24, 800.25 and 800.26; addition of new sections 800.24, 800.25 and 800.26 to Title 10 NYCRR.

Statutory authority: Public Health Law, section 3002

Subject: Emergency Medical Services Equipment Requirements for Certified Ambulance and Emergency Ambulance Service Vehicles.

Purpose: To update requirements to meet current industry standards that address patient and provider safety and manufacturing guidelines.

Substance of proposed rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>): The proposed rulemaking would repeal and replace sections 800.24, 800.25 and 800.26 of Title 10 of the New York Codes, Rules and Regulations (10 NYCRR) pertaining to Emergency Medical Services equipment requirements for certified ambulance and emergency ambulance service vehicles.

Section 800.24, pertaining to equipment requirements for certified ambulance services, is repealed and replaced to consolidate minimum equipment requirements contained in current sections 800.24 and 800.26. It also expands minimum equipment standards to current industry best practices, defines the requirements for advanced life support equipment on a basic life support vehicle, clarifies how advanced life support equipment must be stored and addresses the required proficiency of all providers operating or using equipment and provides the guidance for basic life support (BLS) providers who are operating on a vehicle with advanced life support (ALS) equipment standards.

Section 800.25, pertaining to special use vehicles, is repealed and replaced. The new section sets forth the process for emergency medical service agencies to obtain a regulatory waiver from the Department for special circumstances that render compliance with the regulations unreasonable, burdensome, or impractical, or where compliance would result in impediment of emergency medical services. The section sets forth the limited nature of such waivers and the criteria the Department will use to determine whether to grant a waiver.

Section 800.26, pertaining to equipment requirements for emergency ambulance service vehicles other than an ambulance, is repealed and replaced. The new section sets forth build standards for emergency ambulance service vehicles that reflect current industry standards. It also includes newly required safety equipment such as camera systems that record certain driving events, guidance for securing all equipment in the patient compartment, reverse driving safety mechanisms, and anti-theft devices for when the vehicle is idling.

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

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

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

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

Regulatory Impact Statement

Statutory Authority:

Public Health Law (PHL) § 3002 authorizes the State Emergency Medical Services Council (SEMSCO), subject to approval by the Commissioner of Health, to enact, and from time to time, amend and repeal, rules and regulations establishing minimum standards for ambulance services, ambulance service certification, advanced life support first response services, the provision of prehospital emergency medical care, public education, the development of a statewide emergency medical services system, the provision of ambulance services outside the primary territory specified in the ambulance services' certificate and the training, examination, and certification of certified first responders, emergency medical technicians, and advanced emergency medical technicians.

Legislative Objectives:

The legislative objective of PHL § 3005 is, in part, to protect the public health, safety and welfare by establishing rules and regulations relative to the standardized equipment and construction of ambulance vehicles.

Needs and Benefits:

The current regulations regarding equipment requirements for certified ambulance services are outdated and fail to address industry advances with available equipment and supplies in the commercial market. The industry has been requesting these changes due to changing equipment standards and current regulations are outdated. This includes the technology developments for in-vehicle camera systems that record and store videos and the restraint systems that are available for equipment and stretchers. Recent protocol updates also include new equipment and medications which affect the standard of care for EMS providers and should be encompassed in regulation.

In addition, the applicable regulations are located in multiple sections of regulation, making it difficult for regulated entities to utilize. The proposed regulations set forth a list of required vehicle equipment for emergency medical services vehicles based on the type of vehicle and level of service and place these requirements in an easy to use table for ease of compliance. In addition, the regulations update the equipment standards to reflect more current equipment, which includes automatic external defibrillators, child safety restraint systems, and the standardization of certain medical equipment that must be carried on a vehicle. The required equipment list was developed by the SEMSCO Safety Committee and approved by SEMSCO and the Commissioner of Health.

Current regulatory language for requesting a waiver of regulation from the department is vague and does not provide clear guidance on the types of waivers that may be requested, the length of time a waiver may be in effect, and where an agency is required to maintain any waiver(s) received from the department. Additionally, the requirement that an agency re-apply for an existing waiver upon its expiration ensures that waivers are in line with current regulatory requirements and best practices. The new general waiver section will provide clear guidance for any agency requesting any type of waiver from the department.

Costs:

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

Initial capital costs associated with the proposed rule change related to equipment requirements for certified ambulance agencies will be minimal. The only piece of equipment that may be considered a significant cost is the addition of an automated external defibrillator and the required accessories. These devices are approximately \$2,000 per unit; however, in keeping with best practice, most ambulance services affected by this rule already possess these devices.

Additional capital costs associated with the proposed rule change to section 800.26 – Equipment Requirements for emergency ambulance service vehicles other than an ambulance vehicle – are estimated to be as high as \$4,000.00 for the addition of the equipment outlined in the proposed rule and will be incorporated into the initial build or re-fit of an emergency ambulance service vehicle. There may be additional cost for the installation of the proposed equipment, but those costs are difficult to estimate as emergency ambulance service vehicle manufacturers bid on vehicle specifications and costs will vary from vendor to vendor. Additionally, as emergency ambulance service vehicles differ from manufacturer to manufacturer, some equipment may be installed either at the manufacturer factory or by the vendor prior to delivery, which could impact the cost of the vehicle.

The required equipment in many instances is already incorporated into new vehicles and is included in estimated vehicle replacement costs. All equipment will be available through approved vendors utilizing pricing set forth in the State Contract System. The proposed equipment may be re-installed on a new ambulance or re-chassis of an existing emergency ambulance service vehicle in accordance with manufacturer recommendations.

There may be funding opportunities in the form of grants at either the State or Federal level to offset the purchase and implementation of the required items. Additionally, there is no specific manufacturer required and agencies can use bulk purchasing, state contract vendors, and put out requests for proposals and bids from vendors and manufacturers to obtain the best pricing.

Costs to State and Local Governments:

The costs to local governments that operate certified ambulance services or advanced life support first response agencies will be significant when new ambulances or other response vehicles are purchased. The costs are outlined above under the cost for implementing and complying with these proposed regulations. There are approximately 1,770 certified ambulance agencies and advanced life support first response agencies in New York State, of those approximately 376 of those are municipal at either the village, town, city, or county level.

Costs to the Department of Health:

This regulation imposes no new costs to the Department of Health.

Local Government Mandates:

These regulations will impose new mandates on local governments that operate ambulance services in the form of new equipment requirements for ambulances and emergency response vehicles. The new safety requirements will bring regulations of vehicle construction in line with national safety standards and will ensure the greatest protection of the life and safety of the public.

Paperwork:

These regulatory changes will impose new paperwork and record keeping requirements on agencies. They will need to follow the provisions contained within the proposed section 800.25 to obtain a waiver for equipment or vehicle construction requirements. Additionally, any waivers will need to be reissued at the time of an agency's recertification. Waivers will need to be accessible during both agency recertifications and during any unannounced inspections by bureau staff. Agencies will need to ensure that all vehicle equipment is maintained and recalibrated according to manufacturer's instructions to ensure it is functioning properly and that records of same are kept on file.

Duplication:

This regulation does not duplicate, overlap, or conflict with any existing State or Federal rules or other legal requirements.

Alternatives:

The alternative to the proposed new regulation would be to keep the current regulation as-is. However, this alternative is not viable because it is necessary to update the regulations to keep with current industry standards and to provide a more accessible and comprehensive point of reference in regulation for required equipment. The compliance schedule that is contained within the regulation for equipment included the consideration for implementation of any training programs and the acquisition of the equipment and supplies. The compliance schedule contained within section 800.26 considered the vehicles that an agency may have ordered but not yet delivered and the burden of adding equipment that was not included in the original specifications or bid package. The equipment requirements were the product of SEMSCO and represents the industry's request.

Federal Standards:

The regulations are consistent with applicable Federal requirements and national standards.

Compliance Schedule:

The equipment standards set forth in section 800.24 will go into effect six (6) months after the regulatory amendments are adopted.

The vehicle standards set forth in section 800.26 will not go into effect for twelve (12) months after adoption.

The new regulations contained within section 800.25 will become effective upon publication of a Notice of Adoption in the New York State Register.

Regulatory Flexibility Analysis

Effect of Rule:

The proposed rule changes will affect all the 1,780 active emergency medical services certified by the department, approximately 376 of those are municipal at either the village, town, city, or county level. 988 of these are certified ambulance agencies, 81 are advanced life support services, 711 are basic life support services.

Compliance Requirements:

Section 800.24 of the proposed rule, concerning equipment requirements of ambulances and emergency ambulance services vehicles, condenses the required equipment standards from several locations within

the current regulations. Much of the equipment that will be required in the new regulations is already being carried by certified agencies on their vehicles and so this will not impose a significant burden on these entities. The proposed regulation also includes required medications for basic life support and advanced life support vehicles, which is not contained in current equipment regulations. However, most certified agencies already carry these medications and therefore the regulatory amendments are not expected to create an undue burden. All emergency medical services agencies will be required to have policies and procedures in place for the maintenance of equipment, and for the tracking of medications and other equipment that has an expiration date.

Section 800.25 of the proposed rule sets forth the requirements and process for requesting a regulatory waiver. Applicants will be required to maintain records of approved waivers and be able to produce them for inspection by the department.

Section 800.26 of the proposed rule relates to emergency ambulance services vehicles and will require agencies to ensure that when they purchase new vehicles, they include the required safety equipment, which will impact the bidding process as they will contain specifications for equipment that they may not currently have in place on agency vehicles. Emergency medical services agencies will be required to provide any paperwork relative to the periodic recalibration of equipment or in service policies and procedures during a certification inspection.

Professional Services:

In order to comply with the proposed rules, regulated entities may be required to engage with professionals to install and maintain the video and audio equipment they will be required to have installed. Additionally, regulated entities will need to contract with these same professionals to install this equipment when purchasing vehicles. Lastly, equipment should be installed by a professional so as not to void any manufacturer warranty and to ensure proper and safe installation.

Compliance Costs:

The estimated capital costs for the proposed equipment required by section 800.24 is approximately \$2,000, with the bulk of the cost being applied to the purchase of automated external defibrillators. The ongoing cost of compliance for the proposed equipment regulations will involve the purchase of defibrillator pads and medication replacement for expired stock. It is difficult to estimate this cost as regulated entities are free to purchase from any vendor for these items and they are also free to purchase medications and other supplies in bulk with other emergency medical services agencies for cost savings.

Section 800.25 does impose new requirements on regulated entities in that a more formal process for applying for and maintaining waivers is set forth. However, it is not anticipated to impose any significant compliance costs. Instead, section 800.25 would allow regulated entities to request regulatory waivers, so it may in fact help to reduce compliance costs on regulated entities.

The estimated capital costs for the proposed vehicle specifications in section 800.26 of the proposed regulation is approximately \$4,000 for the equipment that is required. This cost would be factored into the purchase of a new or used vehicle. It should be noted that many agencies currently incorporate these requirements voluntarily into vehicle purchases. Additionally, it is difficult to estimate the cost of compliance as there are many manufacturers of the required safety items in this proposed regulation and their pricing can vary greatly in terms of maintenance or replacement equipment. Agencies will be able to take advantage of bulk purchasing with other agencies, State contract pricing, or put out a request for proposals for the required equipment, including installation, to attempt to contain costs.

Certified Ambulance Agencies will need to provide proof of compliance during periodic vehicle inspections and when agency certifications are renewed every two (2) years. Additionally, waivers will need to be requested to continue at the end of an agency certification period. This will impose some additional time for an agency in preparing for an inspection however, it is not anticipated to cause any additional significant costs to the agency.

Economic and Technological Feasibility:

Since many of the regulated entities already have the equipment that will be required by the proposed rule changes in sections 800.24 and 800.26, the economic feasibility of compliance should already be factored into their budget. For agencies that will need to incorporate the new equipment requirements, there is a six-month grace period for the requirements contained in section 800.24 and a twelve-month grace period for the requirements contained in the proposed 800.26. These grace periods will allow agencies to plan for the estimated costs of compliance.

Technology for the proposed regulations should not be difficult for agencies to implement. The vehicle equipment contained in section 800.26 is usually installed by the manufacturer and tested prior to the delivery of the vehicle and for vehicles that are retrofitted there are ambulance service companies that are qualified to install the technology contained in the proposed regulations.

Minimizing Adverse Impact:

The adverse impact on small businesses and local governments of the proposed rule can be mitigated in several ways. Agencies are not restricted from ordering their equipment in bulk to obtain the greatest savings, they are allowed to seek out State contract pricing wherever applicable, and they are not required to use certain manufacturers or suppliers of equipment. They are also allowed to create bid specification packages and request as many bids as they wish to ensure they are receiving the best service for the least amount of cost.

In addition, section 800.25 will allow regulated entities to apply to the department for a regulatory waiver, which could minimize the cost of compliance. In addition, delaying implementation of sections 800.24 and 800.26 will provide regulated entities with additional time to come into compliance, further minimizing any adverse impact the regulations may have.

Small Business and Local Government Participation:

The proposed rules for sections 800.24, 800.25, and 800.26 were a result of the collaboration of the SEMSCO which has representatives from a wide swath of EMS agencies, including municipal entities and agencies that are small in size and budget. The department created these proposed regulations based on their recommendations and input.

The department will share information with the regional EMS Program Agencies and the State Emergency Medical Services Council which has representation from each regional EMS council and several State EMS trade organizations, including but not limited to, FASNY, NYSVARA and UNYAN members to ensure that the new regulatory requirements are widely circulated among those affected.

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

The proposed equipment regulations contained in section 800.24 allow for a six-month grace period to comply with which would prevent the imposition of any fines or other action for noncompliance.

The proposed vehicle construction regulations contained in section 800.26 allow for a twelve-month grace period to avoid the imposition of unbudgeted for equipment on vehicles that have already been ordered by an agency. Additionally, the existing agency vehicles will be grandfathered and not required to comply on existing vehicles until they are replaced by another vehicle. This allows for agencies to budget the capital and maintenance costs.

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. There are 654 certified agencies that qualify as rural who may be impacted by the proposed changes.

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

Section 800.24 of the proposed rule, concerning equipment requirements of ambulances and emergency ambulance services vehicles, condenses the required equipment standards from several locations within the current regulations. Much of the equipment that will be required in the new regulations is already being carried by certified agencies on their vehicles and so this will not impose a significant burden on these entities. The proposed regulation also includes required medications for basic life support and advanced life support vehicles, which is not contained in current equipment regulations. However, the majority of certified agencies already carry these medications and therefore the regulatory amendments are not expected to create an undue burden. All emergency medical services agencies will be required to have policies and procedures in place for the maintenance of equipment, and for the tracking of medications and other equipment that has an expiration date.

Section 800.25 of the proposed rule sets forth the requirements and process for requesting a regulatory waiver. Applicants will be required to maintain records of approved waivers and be able to produce them for inspection by the department.

Section 800.26 of the proposed rule relates to emergency ambulance services vehicles and will require agencies to ensure that when they purchase new vehicles, they include the required safety equipment, which will impact the bidding process as they will contain specifications for equipment that they may not currently have in place on agency vehicles.

In order to comply with the proposed rules, regulated entities may be required to engage with professionals to install and maintain the video and audio equipment they will be required to have installed. Additionally, regulated entities will need to contract with these same professionals to install this equipment when purchasing vehicles. Lastly, equipment should be installed by a professional so as not to void any manufacturer warranty and to ensure proper and safe installation.

Certified Ambulance Agencies will need to provide proof of compliance during periodic vehicle inspections and when agency certifications are renewed every two (2) years. They will also be required to maintain

any manufacturer related calibration and maintenance recommendations to ensure the equipment remains in good working order.

Costs:

The estimated capital costs for the proposed equipment required by section 800.24 is approximately \$2,000, with the bulk of the cost being applied to the purchase of automated external defibrillators. The ongoing cost of compliance for the proposed equipment regulations will involve the purchase of defibrillator pads and medication replacement for expired stock. It is difficult to estimate this cost as regulated entities are free to purchase from a particular vendor for these items and they are also free to purchase medications and other supplies in bulk with other emergency medical services agencies for cost savings.

Section 800.25 does not impose any new requirements on regulated entities and therefore it is not anticipated to impose any compliance costs. Instead, section 800.25 would allow regulated entities to request regulatory waivers, so it may in fact help to reduce compliance costs on regulated entities.

The estimated capital costs for the proposed vehicle specifications in the section 800.26 of the proposed regulation are approximately \$4,000 for the equipment that is required. This cost would be factored into the purchase of a new vehicle. It should be noted that many agencies currently incorporate these requirements voluntarily into vehicle purchases. Additionally, it is difficult to estimate the cost of compliance as there are many manufacturers of the required safety items in this proposed regulation and their pricing can vary greatly in terms of maintenance or replacement equipment. Agencies will be able to take advantage of bulk purchasing with other agencies or State contract pricing to attempt to contain costs.

Certified Ambulance Agencies will need to provide proof of compliance during periodic vehicle inspections and when agency certifications are renewed every two (2) years.

Minimizing Adverse Impact:

The adverse impact of the proposed regulation on those emergency medical services agencies classified as rural can be mitigated in several ways. Agencies are not restricted from ordering their equipment in bulk to obtain the greatest savings, they are allowed to seek out State contract pricing wherever applicable, and they are not required to use certain manufacturers or suppliers of equipment. They are also allowed to create bid specification packages and request as many bids as they wish to ensure they are receiving the best service for the least amount of cost.

In addition, section 800.25 will allow regulated entities to apply to the department for a regulatory waiver, which could minimize the cost of compliance. In addition, delaying implementation of sections 800.24 for six (6) months after enactment and 800.26 for twelve (12) months after enactment will provide regulated entities with additional time to come into compliance, further minimizing any adverse impact the regulations may have.

Rural Area Participation:

These proposed regulations will be subject to a 60-day public comment period, and subject to review and approval by a subcommittee of the State Emergency Medical Services Council, as well as the approval of the full State Emergency Medical Services Council. All certified ambulance agencies, including those from rural areas within the state, will have an opportunity to comment during the public comment period and through their representatives on their respective Regional Emergency Services Medical Committee, Regional Emergency Medical Services Council and the State Emergency Medical Services Council.

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.

Action taken: On 6/20/24, the PSC adopted an order granting Anbaric Development Partners, LLC’s (Anbaric) motion for waiver of certain of the Department of Public Service’s regulations relating to Public Service Law article VII.

Statutory authority: Public Service Law, sections 4 and 122

Subject: Motion for waiver.

Purpose: To grant Anbaric’s motion for waiver of article VII regulations.

Substance of final rule: The Commission, on June 20, 2024, adopted an order granting Anbaric Development Partners, LLC’s September 30, 2022 motion for waiver of certain of the Department of Public Service’s regulations relating to Public Service Law Article VII, subject to the terms and conditions set forth in the order.

Text or summary was published in the November 16, 2022 issue of the Register, I.D. No. PSC-46-22-00006-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-T-0547SA1)

NOTICE OF ADOPTION

New York’s 6 GW Energy Storage Roadmap: Policy Options for Continued Growth in Energy Storage

I.D. No. PSC-03-23-00004-A

Filing Date: 2024-06-20

Effective Date: 2024-06-20

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

Action taken: On 6/20/24, the PSC adopted an order approving, with modifications, the recommendations contained within New York’s 6 GW Energy Storage Roadmap (Roadmap), establishing an updated energy storage goal and deployment policy.

Statutory authority: Public Service Law, sections 5, 65, 66 and 74

Subject: New York’s 6 GW Energy Storage Roadmap: Policy Options for Continued Growth in Energy Storage.

Purpose: To approve, with modifications, recommendations within the Roadmap.

Substance of final rule: The Commission, on June 20, 2024, adopted an order approving, with modifications, the recommendations contained within New York’s 6 GW Energy Storage Roadmap: Policy Options for Continued Growth in Energy Storage, establishing an updated energy storage goal and deployment policy, subject to the terms and conditions set forth in the order.

Text or summary was published in the January 18, 2023 issue of the Register, I.D. No. PSC-03-23-00004-RP.

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.

(18-E-0130SA13)

NOTICE OF ADOPTION

Increase in Annual Revenues and Escrow Account

I.D. No. PSC-19-23-00017-A

Filing Date: 2024-06-21

Effective Date: 2024-06-21

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

Public Service Commission

NOTICE OF ADOPTION

Motion for Waiver

I.D. No. PSC-46-22-00006-A

Filing Date: 2024-06-25

Effective Date: 2024-06-25

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

Action taken: On 6/20/24, the PSC adopted an order authorizing Green Meadow Water LLC (Green Meadow Water) to increase its annual operating revenues by \$51,326, and to establish a replenishable escrow account, to become effective July 1, 2024.

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

Subject: Increase in annual revenues and escrow account.

Purpose: To authorize Green Meadow Water to increase its annual operating revenues and establish a replenishable escrow account.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order authorizing Green Meadow Water LLC (Green Meadow Water) to increase its annual operating revenues by \$51,326 or 154.7 percent, and to establish a replenishable escrow account, to become effective July 1, 2024. Debora A. Lambert d/b/a Green Meadow Water Company is directed to file on not less than three days' notice, to become effective July 1, 2024, a cancellation supplement canceling tariff schedule P.S.C. No. 2 – Water, in its entirety. Green Meadow Water is directed to file on not less than three days' notice, to become effective July 1, 2024, tariff schedule P.S.C. No. 1 – Water as shown in Appendix E. Green Meadow Water is directed to file on not less than three days' notice, to become effective July 1, 2024, the Escrow Statement No. 1 in the form shown in Appendix D. Green Meadow Water shall notify its customers by direct mail of the Commission's decision in this proceeding and file a copy of the notification with the Secretary to the Commission, no later than July 31, 2024. Green Meadow Water is directed to file with the Secretary to the Commission, an annual report on its escrow account usage by January 30 of each year beginning with 2025, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00017-P.

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

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

Assessment of Public Comment

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

(23-W-0183SA1)

NOTICE OF ADOPTION

Monthly CBC Charge

I.D. No. PSC-20-23-00002-A

Filing Date: 2024-06-21

Effective Date: 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order directing the Joint Utilities to file tariff revisions applying the monthly Customer Benefit Contribution (CBC) charge in two ways.

Statutory authority: Public Service Law, sections 5(1)(b), (2), 65(1), (2), (3), 66(1), (2), (5), (12), (14), 66-j, 66-l and 66-p

Subject: Monthly CBC charge.

Purpose: To direct the Joint Utilities to file tariff revisions applying the monthly CBC charge in two ways.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order directing Central Hudson Gas & Electric Corporation; Consolidated Edison Company of New York, Inc.; New York State Electric & Gas Corporation; Niagara Mohawk Power Corporation d/b/a National Grid; Orange and Rockland Utilities, Inc.; and Rochester Gas and Electric Corporation, collectively, the Joint Utilities, to file tariff revisions, on not less than thirty days' notice, to become effective September 1, 2024, applying the Customer Benefit Contribution (CBC) Charge for all Distributed Energy Resource projects that constitute a complete replacement of a prior project or are newly installed on or after January 1, 2022 and providing that the CBC Charge shall not apply to Distributed Energy Resource projects interconnected before January 1, 2022, including incremental additions to such projects. The Joint Utilities shall incorporate the calculation of, and summary explanation of the CBC Charge, on customer's bills within six months of the issuance of the order. The Joint Utilities shall file a letter with the Secretary to the Commission within 30 days of the completion of adding the CBC Charge calculation to customer utility bills, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 17, 2023 issue of the Register, I.D. No. PSC-20-23-00002-P.

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

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

Assessment of Public Comment

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

(15-E-0751SA50)

NOTICE OF ADOPTION

CPCN, Lightened Regulation and Financing Petition

I.D. No. PSC-32-23-00032-A

Filing Date: 2024-06-24

Effective Date: 2024-06-24

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

Action taken: On 6/20/24, the PSC adopted an order granting Alle-Catt Wind Energy LLC (Alle-Catt) a Certificate of Public Convenience and Necessity (CPCN), a lightened ratemaking regulatory regime, and flexible financing for facility construction.

Statutory authority: Public Service Law, sections 2(12), (13), (22), 5(1)(b), 64, 65, 66, 68, 69, 69-a, 70, 71, 72, 72-a, 105-114, 114-a, 115, 118, 119-b and 119-c

Subject: CPCN, lightened regulation and financing petition.

Purpose: To grant Alle-Catt a CPCN, a lightened regulatory regime, and financing for construction.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order granting Alle-Catt Wind Energy LLC (Alle-Catt) a Certificate of Public Convenience and Necessity (CPCN), a lightened ratemaking regulatory regime, and flexible construction financing for the construction and operation of a wind-powered electric generating facility with a maximum capacity of 340 megawatts (MW), and an approximately 10 mile 345 kilovolt (kV) electric transmission facility connecting the Wind Facility to a new switchyard on the Homer City-Stolle Road 345 kV transmission line operated by Niagara Mohawk Power Corporation d/b/a National Grid. Alle-Catt shall comply with the Public Service Law in conformance with the requirements set forth in the body of the order. Alle-Catt shall file a report regarding the ownership of generating assets by January 30 of each calendar year. Alle-Catt shall, within 30 days of the issuance of the order, file with the Secretary a verified written statement signed by a duly authorized officer indicating its complete and unconditional acceptance of the order and its terms and conditions. Failure to comply with this condition shall invalidate the order. Alle-Catt shall obtain all necessary federal, state, and local permits and approvals, as applicable, and shall implement appropriate mitigation measures defined in such permits or approvals. Alle-Catt shall ensure that the authorized electric plant may be inspected by authorized representatives of Department of Public Service Staff pursuant to § 66(8) of the Public Service Law. Alle-Catt shall file with the Secretary, within three days after commencement of commercial operation of the electric plant, a written notice thereof, subject to the terms and conditions set forth in the order.

Text or summary was published in the August 9, 2023 issue of the Register, I.D. No. PSC-32-23-00032-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-0391SA1)

NOTICE OF ADOPTION

Increase in Annual Base Revenues

I.D. No. PSC-38-23-00003-A

Filing Date: 2024-06-21

Effective Date: 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order authorizing Dover Plains Water Company (Dover Plains) to increase its annual base revenues by \$68,696, to become effective on July 1, 2024.

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

Subject: Increase in annual base revenues.

Purpose: To authorize Dover Plains to increase its annual base revenues.

Substance of final rule: The Commission, on June 20, 2024, adopted an order authorizing Dover Plains Water Company (Dover Plains) to increase its annual base revenues by \$68,696, to become effective on July 1, 2024. Dover Plains is directed to file on not less than three days' notice, to become effective July 1, 2024, tariff revisions as shown in Appendix D of the order. Dover Plains is directed to notify its customers by direct mail of the Commission's decision in this proceeding and to file a copy of the notification with the Secretary to the Commission no later than August 1, 2024. Dover Plains is directed to file a copy of its 2023 Annual Water Quality Report and confirmation of the Annual Water Quality Report's distribution to customers with the Secretary to the Commission no later than August 1, 2024. Dover Plains is directed to file a Meter Implementation Plan with the Secretary to the Commission no later than October 1, 2024, subject to the terms and conditions set forth in the order.

Text or summary was published in the September 20, 2023 issue of the Register, I.D. No. PSC-38-23-00003-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-W-0467SA1)

NOTICE OF ADOPTION

CPCN and Lightened Regulation

I.D. No. PSC-48-23-00008-A

Filing Date: 2024-06-21

Effective Date: 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order granting Hecate Grid Swiftsure LLC (Hecate) a Certificate of Public Convenience and Necessity (CPCN) and a lightened ratemaking regulatory regime for its facility located in Staten Island, New York.

Statutory authority: Public Service Law, sections 2(12), (13), (23), 4(1), 5(1)(b), 11, 19, 24, 25, 26, 65, 66, 68(1), (2), 69, 69-a, 70, 110, 111, 115 and 119-b

Subject: CPCN and lightened regulation.

Purpose: To grant Hecate a CPCN and lightened regulation regime.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order granting Hecate Grid Swiftsure LLC a Certificate of Public Convenience and Necessity (CPCN) and a lightened ratemaking regulatory regime authorizing the construction and operation of a battery energy storage system sized up to 650 megawatts (MW) located at Victory Boulevard, Block 2784, Lot 29, Staten Island, New York, along with an electric transmission interconnection, subject to the terms and conditions set forth in the order, designed to protect the public interest, ensure safety, and promote reliability.

Text or summary was published in the November 29, 2023 issue of the Register, I.D. No. PSC-48-23-00008-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-0421SA1)

NOTICE OF ADOPTION

Petition for Amendment to Authorization of Issuance of Promissory Notes

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

Filing Date: 2024-06-24

Effective Date: 2024-06-24

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

Action taken: On 6/20/24, the PSC adopted an order granting National Fuel Gas Distribution Corporation's (NFG) petition for modification of the Order Authorizing Issuance of Promissory Notes, issued on November 20, 2023.

Statutory authority: Public Service Law, section 69

Subject: Petition for amendment to authorization of issuance of promissory notes.

Purpose: To grant NFG's petition for modification of the Order Authorizing Issuance of Promissory Notes.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order granting National Fuel Gas Distribution Corporation's (NFG) petition for modification of the Order Authorizing Issuance of Promissory Notes, issued on November 20, 2023 (2023 Order). NFG is authorized to issue up to \$300 million of promissory notes through December 31, 2026, including for the purpose of optionally refinancing debt that is due to mature at a time of greater than one year. In addition to the purposes described in Clause 2 of the 2023 Order, NFG is authorized to use the proceeds of the promissory notes authorized therein for purpose of optionally refinancing its outstanding debt. Within 30 days after the end of each quarter during which NFG executed any debt authorized under the order for the optional refinancing of existing debt regardless of whether it is redeemed within 12 months of maturity, it shall submit a compliance filing to the Secretary to the Commission. The compliance filing shall include, but not be limited to, a net present value analysis, which demonstrates that the Company will obtain reasonable savings because of the refunding or, if NFG predicated the refunding upon some other criteria, a letter by the Company's Chief Financial Officer that certifies and explains the reasonableness of its refunding strategy. NFG is authorized to defer the remaining original costs associated with the early redemption of debt prior to maturity in Account 181, Unamortized Debt Expense. The amounts so deferred shall be amortized to Account 428, Amortization of Debt Discount and Expense. These costs shall be amortized over the remaining life of the redeemed debt. The Company is authorized to defer and amortize these costs in this manner regardless of whether the debt it pertains to matures within 12 months. NFG is authorized to defer the costs of redeeming debt prior to maturity in Account 181, Unamortized Debt Expense. The amounts so deferred shall be amortized to Account 428, Amortization of Debt Discount and Expense. These costs shall be amortized over the life of the newly issued debt that finances the redemption. The Company is authorized to defer and amortize these costs in this manner regardless of whether the debt it pertains to matures within 12 months. All provisions of 2023 Order, that are not expressly modified herein, remain in effect without modification, subject to the terms and conditions set forth in the order.

Text or summary was published in the January 10, 2024 issue of the Register, I.D. No. PSC-02-24-00001-P.

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

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

Assessment of Public Comment

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

(23-G-0378SA2)

NOTICE OF ADOPTION**EV Managed Charging Program Modifications****I.D. No.** PSC-05-24-00005-A**Filing Date:** 2024-06-21**Effective Date:** 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order approving Orange and Rockland Utilities, Inc.'s (O&R) modifications to their Electric Vehicle (EV) Managed Charging Program.

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

Subject: EV Managed Charging Program modifications.

Purpose: To approve O&R's EV Managed Charging Program modifications.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order approving Orange and Rockland Utilities, Inc.'s (O&R) modifications to their Electric Vehicle Managed Charging Program. The tariff amendments filed by O&R, as listed in the Appendix to the order, are authorized to become effective on a permanent basis upon the date of issuance of the order, subject to the terms and conditions set forth in the order.

Text or summary was published in the January 31, 2024 issue of the Register, I.D. No. PSC-05-24-00005-P.

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

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

Assessment of Public Comment

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

(18-E-0138SA12)

NOTICE OF ADOPTION**Increase in Annual Revenues****I.D. No.** PSC-07-24-00021-A**Filing Date:** 2024-06-21**Effective Date:** 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order authorizing Penn Yan Municipal Utilities Board (Penn Yan) to increase its annual electric revenues by \$925,564, to become effective on July 1, 2024.

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

Subject: Increase in annual revenues.

Purpose: To authorize Penn Yan to increase its annual revenues.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order authorizing Penn Yan Municipal Utilities Board (Penn Yan) to increase its annual electric revenues by \$925,564, to become effective on July 1, 2024. Penn Yan is directed to file a cancellation supplement, effective on not less than one day's notice, on or before June 25, 2024, cancelling the tariff amendments listed in Appendix A. Penn Yan is directed to file, on not less than three days' notice, to become effective on July 1, 2024, further tariff revisions establishing the approved rates as shown in Appendix D and any other tariff changes consistent with the discussion in the body of the order. Penn Yan is directed to provide its customers with notification of the Commission's determination in the order no later than six weeks following the issuance of the order, either by individual customer notification or by newspaper publication once a week for four consecutive weeks consistent with the requirements of Public Service Law § 66(12)(b) and Title 16 New York Codes, Rules and Regulations § 720-8.1. Penn Yan is directed to file with the Secretary to the Commission, no later than six weeks after the issuance of the order, a copy of the customer notification, identified in Ordering Clause No. 3, and an attestation that it has complied with Ordering Clause No. 3. Penn Yan is directed to file with the Secretary of the Commission, commencing with its July 2024

Purchased Power Adjustment statement, supporting workpapers with its monthly Purchased Power Adjustment statement filings, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 14, 2024 issue of the Register, I.D. No. PSC-07-24-00021-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-0728SA1)

NOTICE OF ADOPTION**EV Managed Charging Program Modifications****I.D. No.** PSC-09-24-00004-A**Filing Date:** 2024-06-21**Effective Date:** 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order approving, with modifications, Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) modifications to their Electric Vehicle (EV) Managed Charging Program.

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

Subject: EV Managed Charging Program modifications.

Purpose: To approve, with modifications, National Grid's EV Managed Charging Program modifications.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order approving, with modifications, Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) modifications to their Electric Vehicle Managed Charging Program. National Grid is directed to file tariff amendments, on not less than five days' notice, to become effective on a permanent basis on August 1, 2024. The requirements of newspaper publication pursuant to PSL § 66(12)(b) and 16 NYCRR § 720-8.1 are waived with respect to the tariffs directed under Ordering Clause No. 2 above. National Grid shall provide direct notification of these authorized tariff amendments to customers enrolled in the current program. National Grid is also directed to update its Managed Charging Implementation Plan to reflect the modifications to its Managed Charging Program described in the body of the order, within 60 days of the effective date of the order. The revised Managed Charging Implementation Plan shall be filed in Case 18-E-0138, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 28, 2024 issue of the Register, I.D. No. PSC-09-24-00004-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.

(18-E-0138SA14)

NOTICE OF ADOPTION**EV Managed Charging Program Modifications****I.D. No.** PSC-09-24-00005-A**Filing Date:** 2024-06-21**Effective Date:** 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order approving New York State Electric & Gas Corporation (NYSEG) and Rochester Gas and Electric Corporation's (RG&E) modifications to their Electric Vehicle (EV) Managed Charging Program.

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

Subject: EV Managed Charging Program modifications.

Purpose: To approve NYSEG and RG&E's EV Managed Charging Program modifications.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order approving New York State Electric & Gas Corporation (NYSEG) and Rochester Gas and Electric Corporation's (RG&E) modifications to their Electric Vehicle Managed Charging Program. The tariff amendments filed by NYSEG and RG&E, as listed in the Appendix to the order, are authorized to become effective on a permanent basis upon the date of issuance of the order, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 28, 2024 issue of the Register, I.D. No. PSC-09-24-00005-P.

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

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

Assessment of Public Comment

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

(18-E-0138SA13)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-09-24-00008-A

Filing Date: 2024-06-24

Effective Date: 2024-06-24

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

Action taken: On 6/20/24, the PSC adopted an order authorizing Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities within the City of Johnstown, New York (Johnstown) to Johnstown.

Statutory authority: Public Service Law, sections 5, 65, 66 and 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To authorize National Grid's petition to transfer street lighting facilities to Johnstown.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order authorizing Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities within the City of Johnstown, New York (Johnstown) to Johnstown. The authority is granted for one year from the issuance of the order and shall expire if the transaction is not completed within the one-year period. National Grid shall file with the Secretary, within 60 days of the transfer of the street lighting facilities to Johnstown, a copy of the actual journal entries recorded to account for this transaction, together with the related workpapers, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 28, 2024 issue of the Register, I.D. No. PSC-09-24-00008-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.

(24-E-0065SA1)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-10-24-00008-A

Filing Date: 2024-06-24

Effective Date: 2024-06-24

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

Action taken: On 6/20/24, the PSC adopted an order authorizing Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities within the Town of Cheektowaga, New York (Cheektowaga) to Cheektowaga.

Statutory authority: Public Service Law, sections 5, 65, 66 and 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To authorize National Grid's petition to transfer street lighting facilities to Cheektowaga.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order authorizing Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities within the Town of Cheektowaga, New York (Cheektowaga) to Cheektowaga. The authority is granted for one year from the issuance of the order and shall expire if the transaction is not completed within the one-year period. National Grid shall file with the Secretary, within 60 days of the transfer of the street lighting facilities to Cheektowaga, a copy of the actual journal entries recorded to account for this transaction, together with the related workpapers, subject to the terms and conditions set forth in the order.

Text or summary was published in the March 6, 2024 issue of the Register, I.D. No. PSC-10-24-00008-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.

(24-E-0036SA1)

NOTICE OF ADOPTION

Motion for Waiver

I.D. No. PSC-13-24-00007-A

Filing Date: 2024-06-25

Effective Date: 2024-06-25

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

Action taken: On 6/20/24, the PSC adopted an order granting Niagara Mohawk Power Corporation, d/b/a National Grid's (National Grid) motion for a waiver of certain of the Commission's regulations relating to Public Service Law article VII.

Statutory authority: Public Service Law, sections 4 and 122

Subject: Motion for waiver.

Purpose: To grant National Grid's motion for waiver of article VII regulations.

Text or summary was published in the March 27, 2024 issue of the Register, I.D. No. PSC-13-24-00007-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.

(24-T-0120SA1)

NOTICE OF ADOPTION

Financing Petition

I.D. No. PSC-16-24-00005-A

Filing Date: 2024-06-24

Effective Date: 2024-06-24

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

Action taken: On 6/20/24, the PSC adopted an order authorizing Corning Natural Gas Corporation (Corning) to issue and sell up to \$50 million of long-term debt with one or more private lenders.

Statutory authority: Public Service Law, section 69

Subject: Financing petition.

Purpose: To authorize Corning for the issuance of long-term indebtedness.

Substance of Final Rule: The Commission, on June 20, 2024, adopted an order authorizing Corning Natural Gas Corporation (Corning) to issue and sell up to \$50 million of long-term debt with one or more private lenders. The proceeds from the issuance of these debts shall be used to retire the Company's currently existing long-term debt. To the extent that the proceeds from this issuance exceed the Company's currently existing debt, the proceeds shall only be used for the purposes described in Ordering Clause 5. Corning is authorized to issue and sell up to \$31,611,825 of long-term debt in one or more transactions, not later than December 31, 2028. The proceeds from the issuance of these debts shall only be used for the purposes described in Ordering Clause 5. If Corning does not execute the transaction(s) described in Ordering Clause 1 on or before June 30, 2025, then its authority to issue debt pursuant to Clause 1 may be revoked without further notice. If Corning successfully executes the transaction(s) described in Ordering Clause 1 and retires a portion of its currently existing debt, then Corning shall have authorization to issue debt pursuant to Clause 2 up to an amount equal to \$31,611,825 less the amount of existing debt that it retires less the amount of existing debt that it retires. If Corning successfully executes the transaction(s) described in Ordering Clause 1, and fully retires its currently existing debt, then its authority to issue debt pursuant to Clause 2 shall be automatically revoked. Unless otherwise noted, the proceeds from the issuance of the debts authorized by the order may be used only for a) the acquisition of property, the construction, completion, extension or improvement of Corning's facilities or the improvement or maintenance of the Company's service within New York State (to the extent such expenditures exceed funds originating from credits to the accumulated deferred income taxes), b) for the discharge or lawful refunding of Corning's obligations, or c) to reimburse Corning's treasury for equivalent money expended for those purposes prior to December 31, 2023, provided that Corning has kept its accounts and vouchers of such expenditures in such a manner as to enable us to ascertain the amount of moneys so expended and the purposes for which such expenditures were made. At least ten business days before the issuance of any indebtedness authorized under the order, Corning shall file with the Secretary to the Commission the expected term sheet, a schedule detailing all costs associated with each issuance and the proposed deferral and amortization of those costs, and a letter by the Chief Financial Officer certifying that the terms were the best that could be obtained and are no more restrictive than the terms of any existing indebtedness issued by the Company. Corning shall not issue any long-term indebtedness unless and until it has received written authorization from the Director of the Office of Accounting, Audits, and Finance regarding the specific debt that it proposes to issue. A long-term indebtedness shall be considered to have been issued on the day an authorized representative of Corning signed the contract governing that indebtedness. Within 30 days after the end of each quarter, Corning shall notify the Secretary to the Commission of the contracts it has executed during that particular quarter governing the issuance of any form of long-term indebtedness authorized by the order. Copies of the executed documents shall be included with this filing. If Corning does not execute any such contracts during that quarterly period, it shall submit a compliance filing indicating it did not execute any such contract. However, if Corning successfully executes the transaction(s) described in Ordering Clause 1 and retires all of its currently existing debt, the ongoing requirement to submit quarterly compliance filings shall cease 180 days thereafter. The authority granted, and the conditions imposed by the order shall not be construed as passing upon or otherwise approving the accuracy of the books, records, and accounts of Corning, nor does the authority to issue indebtedness bind the Commission to any specific ratemaking treatment or regulatory regime. Corning shall, within 60 days after the end of each calendar year, file with the Secretary to the Commission a verified report in the form prescribed by 16 NYCRR Section 245.1. The report shall include the date the proceeds were utilized for the purposes autho-

rized in Ordering Clauses 1 and 2 of the order. The report shall also indicate the total amount of funds borrowed during the calendar year to which it pertains, as well as the total amount of authority remaining. This annual filing shall detail the terms of each debt issuance authorized by the order during that calendar year, including a) the amount, b) the date of issuance, c) the purposes of the proceeds, d) the interest rate, e) the date of maturity, and f) the lender. Corning shall be authorized to defer the costs associated with the issuance of debts authorized under the order in Account 181, Unamortized Debt Expense, except to the extent that the associated costs are drawn from the proceeds of the debt issuances. The amounts so deferred shall be amortized to Account 428, Amortization of Debt Discount and Expense. If upon examination of the uses to which any proceeds are put, it is determined that any expenditure is not a reasonable and proper capital charge, or has not been duly authorized by the Commission, or is in violation of any provision of the law, a sum equal to the expenditure shall, upon order of the Commission, promptly be placed in a commercial banking institution or institutions and said sum shall be subject to all of the conditions and restrictions of the order. The indebtedness authorized by the order shall not be issued unless and until there has been filed with the Secretary to the Commission an unconditional acceptance by Corning to obey all the terms, conditions, and requirements of the order. If such acceptance is not filed within a period of 30 days from the effective date of the order, the order may be revoked by the Commission without further notice. The requirement that Corning maintain banking, committed credit facilities, and case management arrangements that are separate from its affiliates is lifted as described in the body of the order. However, the Commission retains the authority to reimpose this requirement on Corning in the future if circumstances warrant, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 17, 2024 issue of the Register, I.D. No. PSC-16-24-00005-P.

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

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

Assessment of Public Comment

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

(24-G-0148SA1)

NOTICE OF ADOPTION

Transfer of Assets

I.D. No. PSC-16-24-00006-A

Filing Date: 2024-06-21

Effective Date: 2024-06-21

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

Action taken: On 6/20/24, the PSC adopted an order authorizing the transfer of 100 percent of the water system assets of Debora A. Lambert d/b/a Green Meadow Park Water Company to Christopher Lambert, under the name of Green Meadow Water LLC.

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

Subject: Transfer of assets.

Purpose: To authorize the transfer of 100 percent of the water system assets.

Substance of final rule: The Commission, on June 20, 2024, adopted an order authorizing the transfer of 100 percent of the water system assets of Debora A. Lambert d/b/a Green Meadow Park Water Company to Christopher Lambert, under the name of Green Meadow Water LLC, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 17, 2024 issue of the Register, I.D. No. PSC-16-24-00006-P.

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

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

Assessment of Public Comment

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

(23-W-0183SA2)

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

Minor Electric Rate Filing to Increase Annual Electric Revenues**I.D. No.** PSC-28-24-00022-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 the Village of Fairport to amend its electric tariff schedule, P.S.C. No. 1—Electricity, to increase its electric revenues by \$2,675,000 in Rate Year 1, and \$747,000 in Rate Year 2.

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

Subject: Minor electric rate filing to increase annual electric revenues.

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 the Village of Fairport (Village) on May 31, 2024, to amend its tariff schedule, P.S.C. No. 1 – Electricity, to increase its annual electric base revenues by approximately \$2,675,000 or 11.0 percent in Rate Year (RY) 1, and by approximately \$747,000 or 2.8 percent in RY 2.

The proposed modification would increase the overall bill for the average residential customer from \$35.29 to approximately \$40.03 in RY 1, and \$41.34 in RY 2. The proposed tariff amendments have an effective date of December 1, 2024.

The Village of Fairport is a public power utility in Monroe County that provides electric service to approximately 18,300 customers, and has an annual revenue of approximately \$23.2 million. The Village's last rate increase became effective on June 1, 2021. The Village states its proposed increase is driven by increased costs related to the proposed budget to upgrade the Village's aging infrastructure, upgrade its current, fully depreciated Automated Meter Reading meters to Advanced Metering Infrastructure meters and rehabilitate one of its substations. The filing also reflects increased labor expenses due to yearly raises and cost of living adjustments, and increased employee benefit expenses.

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

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

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

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

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

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

(24-E-0328SP1)

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

Deferral of Costs Associated with the Development of UTEN**I.D. No.** PSC-28-24-00023-P

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

Proposed Action: The Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid to increase the interim cap on the deferral of costs for its Utility Thermal Energy Network (UTEN) pilot portfolio through Stage 2 of their development.

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

Subject: Deferral of costs associated with the development of UTEN.

Purpose: To determine the appropriate funding for the development of proposed UTEN pilot projects.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid (NMPC) on May 22, 2024, seeking authorization to defer up to an additional \$2.8 million to develop its thermal energy pilot portfolio.

Pursuant to Public Service Law § 66-t, on September 15, 2022, the Commission issued an Order on Developing Thermal Energy Networks Pursuant to the Utility Thermal Energy Network (UTEN) and Jobs Act, which directed the seven largest gas, electric, and combination gas and electric utilities, including NMPC, to submit pilot UTEN project proposals. On January 9, 2023, NMPC submitted two pilot proposals, referred to as the Troy Pilot and the Syracuse Pilot. On September 14, 2023, the Commission issued the Order Providing Guidance on Development of Utility Thermal Energy Network Pilot Projects (Guidance Order). The Guidance Order established multiple stages for development and operation of the pilot projects, as relevant here, Stage 1: Pilot Project Scope, Feasibility, and Stakeholder Engagement; and Stage 2: Pilot Project Engineering Design and Customer Protection Plan. The Guidance Order also authorized NMPC, among the other utilities, to spend 10% of the total estimated cost of developing each pilot through Stage 2 of development. The two caps for NMPC's pilot projects allow NMPC to defer, in aggregate, \$7.9 million through the completion of Stage 2. On April 9, 2024, Department of Public Service Staff issued letters approving NMPC's pilot proposals to move forward to Stage 2 of development.

According to the petition, NMPC estimated total costs of \$79 million to develop and complete its two pilot projects. That estimate did not include the design consultant's schedule and estimates for the pilot projects final engineering, which includes all documents required to apply for permits and the prepare a construction big proposal. Based on these updated expenses, NMPC estimates \$185.3 million to develop and complete its two pilot projects. In its petition, NMPC requests an additional \$2.8 million to account for final project engineering through the completion of Stage 2. The Commission is also considering whether NMPC should continue developing each thermal energy network pilot project.

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

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

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

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

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

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

(22-M-0429SP13)

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

A Debt Financing Arrangement with Respect to an Offshore Wind Project**I.D. No.** PSC-28-24-00024-P

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

Proposed Action: The Commission is considering a petition filed by Empire Offshore Wind, LLC, seeking flexible financing authorization under lightened regulation.

Statutory authority: Public Service Law, sections 5, 64, 65, 66 and 69

Subject: A debt financing arrangement with respect to an offshore wind project.

Purpose: To consider the requested financing arrangement and what regulatory conditions should apply.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Empire Offshore Wind, LLC (Petitioner) on June 4, 2024, requesting flexible financing under lightened regulation.

According to the petition, the Petitioner will construct, maintain, and operate a proposed offshore wind energy project with up to 816 megawatts of capacity (the Project). The Project, as described in the petition, includes installation of two 230-kV submarine transmission cables from the boundary of State waters to the cable landfall, a proposed onshore substation at the South Brooklyn Marine Terminal (SBMT) in Brooklyn, New York, and two 345 kV onshore interconnection cables between the SBMT Substation and Consolidated Edison's existing Gowanus Substation. The proposed transmission system for the Project will connect the offshore wind generation facility located on U.S. Department of the Interior, Bureau of Ocean Energy Management lease area to the point of interconnection at the Gowanus Substation owned and operated by the Consolidated Edison Company of New York, Inc. in Brooklyn, New York and will include interconnection cables traversing a total of approximately 16.6 miles within the State of New York. The petition states that the requested financing would serve a statutory purpose and is in the public interest, as the Project would advance the Commission's Clean Energy Standard goals established in Case 18-E-0071 – I/M/O Offshore Wind Energy.

In addition, the petition seeks flexibility to modify or refinance this indebtedness, without prior Commission approval, including the identity of the financing entities, payment terms, and the amount financed, up to the \$5.6 billion limit. The Petitioner asserts that approval of such flexibility is consistent with existing Commission precedent regarding lightly regulated entities and is needed for quick modification or refinancing in case of changing market conditions.

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

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

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

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

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

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

(24-E-0329SP1)

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-28-24-00025-P	6 NYCRR Part 664, Fresh Water Wetlands Jurisdiction and Classification	Virtual via Webex (see DEC Website)—September 10, 2024, 1:00 p.m. Virtual via Webex (see DEC Website)—September 10, 2024, 6:00 p.m. Department of Environmental Conservation, 625 Broadway, Albany, NY—September 12, 2024, 1:00 p.m.
Public Service Commission		
PSC-21-24-00005-P	Climate Change Resilience Plan and Climate Resilience Cost Recovery Surcharge	Rochester, exact location TBD—August 6, 2024, 5:30 p.m. (Public Statement Hearing)* *On occasion, the public statement hearing date may be rescheduled or postponed and the location may not yet be determined. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0222.
PSC-21-24-00006-P	Climate Change Resilience Plan and Climate Resilience Cost Recovery Surcharge	Manhattan, exact location TBD—July 23, 2024, 3:00 p.m. (Public Statement Hearing)* Westchester, exact location TBD—July 24, 2024, 1:00 p.m. (Public Statement Hearing)* *On occasion, the public statement hearing date may be rescheduled or postponed and the location may not yet be determined. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0222.
PSC-21-24-00008-P	Climate Change Resilience Plan and Climate Resilience Cost Recovery Surcharge	Syracuse, exact location TBD—August 6, 2024, 11:30 a.m. (Public Statement Hearing)* Buffalo, exact location TBD—August 7, 2024, 3:00 p.m. (Public Statement Hearing)* Albany, exact location TBD—August 20, 2024, 1:00 p.m. (Public Statement Hearing)* *On occasion, the public statement hearing date may be rescheduled or postponed and the location may not yet be determined. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0222.
PSC-21-24-00009-P	Climate Change Resilience Plan and Climate Resilience Cost Recovery Surcharge	Rockland County, exact location TBD—July 30, 2024, 3:00 p.m. (Public Statement Hearing)* *On occasion, the public statement hearing date may be rescheduled or postponed and the location may not yet be determined. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0222.
PSC-21-24-00011-P	Climate Change Resilience Plan and Climate Resilience Cost Recovery Surcharge	Binghamton, exact location TBD—August 13, 2024, 3:00 p.m. (Public Statement Hearing)* Ithaca, exact location TBD—August 14, 2024, 11:00 a.m. (Public Statement Hearing)*

*On occasion, the public statement hearing date may be rescheduled or postponed and the location may not yet be determined. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0222.

PSC-21-24-00014-P Climate Change Resilience Plan and Climate Resilience Cost Recovery Surcharge

Poughkeepsie, exact location TBD—July 31, 2024, 11:00 a.m. (Public Statement Hearing)*

*On occasion, the public statement hearing date may be rescheduled or postponed and the location may not yet be determined. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0222.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
-----------------	---------	----------------	-------------------

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
AAM-22-24-00003-EP	..... 05/29/25	Control of the European Cherry Fruit Fly (ECFF)	To expand the ECFF quarantine to include additional counties
AAM-22-24-00010-P	..... 05/29/25	Amendment to good manufacturing practices in the manufacture and distribution of commercial feed	Detailing the good manufacturing practices, hazard analysis, and risk-based preventative controls for all commercial feed
AAM-26-24-00001-P	..... 06/26/25	Golden Nematode (<i>Globodera Rostochiensis</i>) Quarantine	To lift the Golden Nematode quarantine in portions of the

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

*ASA-24-23-00021-RP 09/11/24	Voluntary certification of Recovery Residences in NYS	This Part establishes requirements for recovery residences certified by the Office of Addiction Services and Supports (OASAS)
---------------------	----------------	---	---

CANNABIS MANAGEMENT, OFFICE OF

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-22-24-00002-EP	..... exempt	Empowers the Office to take further enforcement actions against unlicensed cannabis activity	To address the illicit cannabis activity and take action to enforce the Cannabis Law

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-36-23-00023-P	09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
CFS-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
CIVIL SERVICE, DEPARTMENT OF			
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
CVS-24-24-00001-P	06/12/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-24-24-00002-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00003-P	06/12/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-24-00004-P	06/12/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-24-00005-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-24-24-00006-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00007-P	06/12/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-24-24-00008-P	06/12/25	Jurisdictional Classification	To delete positions from and classify position in the non-competitive class
CVS-24-24-00009-P	06/12/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-24-24-00010-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00011-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00012-P	06/12/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-24-00014-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00015-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00016-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00017-P	06/12/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-24-24-00018-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00019-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00020-P	06/12/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-27-24-00011-P	07/03/25	Jurisdictional Classification	To delete positions from the non-competitive class.
CVS-28-24-00001-P	07/10/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-24-00002-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-28-24-00003-P	07/10/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-24-00004-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-28-24-00005-P	07/10/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-24-00006-P	07/10/25	Jurisdictional Classification	To classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-28-24-00007-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-28-24-00008-P	07/10/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-24-00009-P	07/10/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-24-00010-P	07/10/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-24-00011-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-28-24-00012-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-28-24-00013-P	07/10/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-24-00014-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-28-24-00015-P	07/10/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-24-00016-P	07/10/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-24-00017-P	07/10/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-28-24-00018-P	07/10/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-24-00019-P	07/10/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CRIMINAL JUSTICE SERVICES, DIVISION OF			
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
CJS-25-24-00002-EP	06/18/25	Firearm Licensing Appeals	Set forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or revocation
EDUCATION DEPARTMENT			
*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-09-24-00012-P	02/27/25	Dispensing self-administered hormonal contraceptives	To implement Chapter 128 of the Laws of 2023

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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
EDU-21-24-00015-P	05/22/25	See attached.	See attached.
EDU-21-24-00016-P	05/22/25	Special education due process hearings	See attached.
EDU-21-24-00017-P	05/22/25	Mixed competition and extra class athletic activities	Sets parameters for male and female students to participate on the same interschool athletic team
EDU-21-24-00018-EP	05/22/25	Posthumous high school diplomas	See attached.
EDU-26-24-00011-P	06/26/25	Requires a doctoral degree in physical therapy for licensure	To Conform the Commissioner's regulations to Chapter 594 of the Laws of 2023
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-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
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
ENV-21-24-00001-EP	05/22/25	Regulations governing recreational fishing for Atlantic Striped Bass	To amend recreational fishing regulations for Atlantic Striped Bass
ENV-24-24-00021-P	06/12/25	Sporting License Issuance and Use	To enable a \$1 and \$2 fee for the printing and/or mailing of plain paper hunting, fishing, and trapping licenses
ENV-25-24-00001-EP	06/18/25	Sanitary Condition of Shellfish Lands	To reclassify underwater shellfish lands to protect public health and general welfare
ENV-28-24-00020-P	07/10/25	Trout Stream Fishing Regulations	To align select trout stream regulations with DEC's Trout Stream Management Plan and amend tidal trout regulations.
ENV-28-24-00025-P	09/12/25	6 NYCRR Part 664, Freshwater Wetlands Jurisdiction and Classification	To implement 2022 amendments to Environmental Conservation Law Article 24

ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON

ELG-15-24-00008-P	04/10/25	Responsible Party Obligations	Clarify who is responsible for the submission, completeness, and truthfulness of lobbying filings when the Lobbyist or Client is a person or organization
ELG-15-24-00009-P	04/10/25	Ethics Training for Lobbyists and Clients	To require the responsible party to enter training compliance information to the Commission on behalf of themselves, their organization and/or their organization s Individual Lobbyists and other clarifying amendments
ELG-15-24-00010-P	04/10/25	Late Fees for Lobbying Filings	The proposed rule codifies the Commission s late fee program and establishes criteria and requirements for requesting a waiver for a late filing fee

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	..... exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	..... exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	..... 01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value
DFS-08-24-00001-P	..... 02/20/25	Network Adequacy and Access Standards	To establish network adequacy and access standards and other protections to improve access to behavioral health services
DFS-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-17-24-00001-P	..... 04/24/25	Credit For Reinsurance	To prescribe the collateral requirements for reinsurance reserve credit
GAMING COMMISSION, NEW YORK STATE			
SGC-29-23-00004-P	..... 07/18/24	Attending veterinarian examinations in Thoroughbred racing	To decrease the risks of injury to racehorses
SGC-25-24-00003-P	..... 06/18/25	Whip use in harness racing	To promote the health and safety of racehorses
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	..... exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-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-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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
HLT-23-24-00001-P	06/05/25	Disease Outbreak Investigation and Response Clarifications	Authorizes NYSDOH to provide flexibilities to LHDs to prioritize reportable diseases that need to be fully investigated
HLT-26-24-00012-P	06/26/25	Provider Enrollment and Collection of Patient Consent to Access Medicaid Confidential Data in the SHIN-NY	To clarify that providers of medical goods and services, rather than the QEs, are required to enroll in the Medicaid program
HLT-27-24-00001-P	07/03/25	Contingent Reserve Requirements for Managed Care Organizations (MCOs)	Maintains the contingent reserve requirement at 7.25% through 2025 applied to the Medicaid Managed Care, HIV SNP & HARP programs
HLT-28-24-00021-P	07/10/25	Emergency Medical Services Equipment Requirements for Certified Ambulance and Emergency Ambulance Service Vehicles	To update requirements to meet current industry standards that address patient and provider safety & manufacturing guidelines.

HIGHER EDUCATION SERVICES CORPORATION

ESC-23-24-00004-P	06/05/25	New York State District Attorney and Indigent Legal Services Attorney Loan Forgiveness Program	To implement section 679-e of the Education Law
-------------------	----------	--	---

LABOR, DEPARTMENT OF

LAB-37-23-00003-P	09/12/24	Pay Transparency in Job Advertisements	To increase pay transparency in job advertisements pursuant to Labor Law § 194-b
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
LAB-22-24-00011-P	05/29/25	Public Work Contractor Registry	To implement the public work contractor registry required by Labor Law § 220-i

LAW, DEPARTMENT OF

LAW-24-24-00023-P	06/12/25	Preclearance under the New York Voting Rights Act (“NYVRA”)	Clarify elements of the NYVRA preclearance process; provide guidance to regulated jurisdictions
-------------------	----------	---	---

LONG ISLAND POWER AUTHORITY

*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority’s tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff fo	To update the small generator interconnection procedures consistent with Public Service Commission guidance
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
MENTAL HEALTH, OFFICE OF			
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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MENTAL HEALTH, OFFICE OF			
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-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
MOTOR VEHICLES, DEPARTMENT OF			
MTV-36-23-00031-P	09/05/24	Point System & Licensing or Relicensing After Revocation Action	To assign a point value for alcohol related convictions & increase point values and negative units for certain violations
MTV-21-24-00002-P	05/22/25	Safety Equipment Exemptions	To allow use of properly functioning video mirrors on a commercial motor vehicle as an alternative to the 2 rear view mirrors
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-25-24-00004-P	06/18/25	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc.	To amend Procurement Guidelines to reflect clarifying provisions and change signing authority level
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-46-22-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-48-22-00003-P	..... exempt	Gas moratorium customer protections	To consider protections to minimize customer hardships in the unlikely event of a future gas moratorium
*PSC-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-23-00006-P	..... exempt	Community Choice Aggregation	To determine the appropriate requirements to be placed on Community Choice Aggregation outreach and education plans
*PSC-25-23-00007-P	..... exempt	Termination of the PPI Program and deployment of the EVLMTI Program in the Joint Utilities' service territories	To consider the transition from the PPI to the EVLMTI program including design characteristics and program operations
*PSC-25-23-00008-P	..... exempt	Long-term gas system planning for Con Edison and O&R	To consider and review long-term gas system planning for Con Edison and O&R
*PSC-25-23-00009-P	..... exempt	Community Choice Aggregation	To determine if Local Power LLC shall operate as a Community Choice Aggregation Administrator
*PSC-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement	To consider whether amending the SIC mechanism is in the public interest
PSC-27-23-00006-P	..... exempt	A proposed methodology for annual greenhouse gas emissions inventory reporting	To consider whether the proposed Green House Gas Inventory Report will provide sufficient emissions information
PSC-27-23-00013-P	..... exempt	The proposed Greenhouse Gas Emissions Reduction Pathways Study	To consider whether the proposed Study is sufficient and whether to proceed with the Study
PSC-27-23-00015-P	..... exempt	The Tier 4 renewable energy certificate purchase and sale agreement modifications	To consider modification to the existing Tier 4 renewable energy certificate purchase and sale agreement
PSC-28-23-00024-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-28-23-00025-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-29-23-00007-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
PSC-31-23-00001-P	..... exempt	A petition for a special permit exemption from odorization requirements	To determine if the granting of the special permit is in the public interest
PSC-31-23-00002-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-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-35-23-00011-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-35-23-00013-P	08/29/24	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the National Grid service territory
PSC-35-23-00014-P	08/29/24	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the Central Hudson service territory
PSC-35-23-00015-P	08/29/24	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the NYSEG/RG&E service territories
PSC-35-23-00017-P	exempt	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the Con Edison service territory
PSC-35-23-00020-P	exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
PSC-35-23-00022-P	08/29/24	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the NYSEG and RG&E service territories
PSC-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-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-42-23-00011-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-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
PUBLIC SERVICE COMMISSION			
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-46-23-00009-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-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-02-24-00002-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
PSC-02-24-00004-P	..... exempt	Water rates and charges	To ensure customers are provided safe and adequate service at just and reasonable rates
PSC-02-24-00005-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
PSC-03-24-00005-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-05-24-00009-P	..... exempt	Electric metering equipment	To ensure that consumer bills will be based on accurate measurements of electric usage
PSC-06-24-00005-P	..... exempt	Minor rate filing to increase annual revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-06-24-00006-P	..... exempt	Electric metering equipment	To consider use of metering equipment and ensure that consumer bills will be based on accurate measurements of electric usage
PSC-06-24-00007-P	..... exempt	LED streetlights in the Village of Cambridge	To consider whether the use of LED streetlights in the Village of Cambridge requires changes
PSC-07-24-00017-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00018-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification for Non-Low- to Moderate-Income customers	To establish a portfolio and policy framework for Non-Low- to Moderate-Income energy efficiency and building electrification
PSC-07-24-00019-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00020-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00022-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-07-24-00024-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-07-24-00028-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00029-P	..... exempt	Energy efficiency and building electrification programs	To implement potential changes to building electrification program
PSC-07-24-00030-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00031-P	..... exempt	Extend the period of time in the calculation of the Loss Factor for Lost and Unaccounted for Gas	To ensure safe and adequate service at just and reasonable rates to customers without undue preferences
PSC-07-24-00032-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00033-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-08-24-00006-P	..... exempt	Petition for termination of temporary operator role and cost recovery	To determine if termination of a temporary operator and recovery of costs is in the public interest
PSC-08-24-00007-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-08-24-00009-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-09-24-00006-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-09-24-00009-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-10-24-00005-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-10-24-00006-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-10-24-00007-P	..... exempt	Rules regarding Utility Thermal Energy Networks	To ensure that Utility Thermal Energy Networks operate safely and adequately and provide service at just and reasonable rates
PSC-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-13-24-00008-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-16-24-00007-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
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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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
PSC-21-24-00005-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00006-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00007-P	..... exempt	Electric metering equipment	To ensure that consumer bills are based on accurate measurements of electric usage
PSC-21-24-00008-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00009-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00010-P	..... exempt	Electric metering equipment	To ensure that consumer bills are based on accurate measurements of electric usage
PSC-21-24-00011-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00012-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-21-24-00013-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-21-24-00014-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-22-24-00005-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-22-24-00006-P	..... exempt	Petition for transfer of assets and dissolution of water works corporation	To determine if the transfer of Saratoga's assets to the Town and Saratoga's dissolution is in the public interest

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-22-24-00007-P	..... exempt	Electric metering equipment	To ensure that consumer bills are based on accurate measurements of electric usage
PSC-22-24-00008-P	..... exempt	Petition for rehearing, reconsideration, and clarification of provisions in the DLM Order related to performance payments	To clarify the directives of the DLM Order as to National Grid's obligation to make performance payments to certain customers
PSC-22-24-00009-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generation facility	To determine whether a lightened regulatory regime is consistent with the PSL
PSC-23-24-00002-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units	To determine whether to authorize the waiver request while ensuring consumer and energy efficiency protections are in place
PSC-23-24-00003-P	..... exempt	Compensation under the Value of Distributed Energy Resources tariff	To consider eligibility for a combined heat and power generation facility to receive Value Stack compensation
PSC-24-24-00022-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-25-24-00005-P	..... exempt	The calculation of NYSEG's Percent of Estimated Bills of the Customer Service Performance Indicator metric for January 2024	Whether it is in the public interest to grant certain exemptions in the January 2024 Percent of Estimated Bills for NYSEG
PSC-25-24-00006-P	..... exempt	Transfer of ownership of cable television facilities and eight municipal cable television franchises	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
PSC-25-24-00007-P	..... exempt	Long-term gas system planning	To consider and review long-term gas system planning
PSC-26-24-00002-P	..... exempt	Energy Service Company Home Warranty Products	To consider proposed consumer protections on Energy Service Company Home Warranty Products
PSC-26-24-00003-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00004-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00005-P	..... exempt	Stock transactions of regulated entities	To consider stock transactions within statutory parameters for individual transactions
PSC-26-24-00006-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-26-24-00007-P	..... exempt	Petition for determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00008-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00009-P	..... exempt	LPP replacement targets	To update LPP replacement mileage to reflect increasing cost while working within Conring's authorized budget

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-24-00010-P	..... exempt	BTU content levels	To reflect the BTU range during the non-heating months due to gas supplied by Corning's new renewable natural gas projects
PSC-27-24-00002-P	..... 07/03/25	Technical amendments and additions to state regulations.	To ensure the safe and adequate operation of pipelines in New York State.
PSC-27-24-00003-P	..... exempt	Net Metering Rules.	To consider the proper treatment of banked remote net metering credits.
PSC-27-24-00004-P	..... exempt	Proposals to establish notification requirements for billing delays and adjusted bills.	To ensure proper customer notification of billing delays or adjustments is provided.
PSC-27-24-00005-P	..... exempt	Long-term gas system planning.	To consider the appropriate process to review two small utilities' long-term gas system plans.
PSC-27-24-00006-P	..... exempt	Deferral of costs associated with the development of UTEN.	To determine the appropriate funding for the development of proposed UTEN pilot projects.
PSC-27-24-00007-P	..... exempt	Electric Reliability Performance Metrics.	The ascertainment of accurate electric reliability performance metrics for NYSEG and RG&E.
PSC-27-24-00008-P	..... exempt	Area code overlay.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards, and the public interest.
PSC-27-24-00009-P	..... exempt	Proposed transfer of the Company's assets to the Purchaser, an increase in rates, and request for rate setting exemption.	To determine whether transfer of the Company's assets and rate setting exemption are in the public interest.
PSC-28-24-00022-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-28-24-00023-P	..... exempt	Deferral of costs associated with the development of UTEN.	To determine the appropriate funding for the development of proposed UTEN pilot projects.
PSC-28-24-00024-P	..... exempt	A debt financing arrangement with respect to an offshore wind project	To consider the requested financing arrangement and what regulatory conditions should apply.

STATE, DEPARTMENT OF

DOS-34-23-00010-P	..... 08/22/24	Rules for natural organic reduction operations, facilities, and certification of operators	To provide rules for natural organic reduction operations, facilities, and certification of operators
DOS-13-24-00002-P	..... 03/27/25	Appearance Enhancement Licensure and Permanent Dyeing of Eyebrow and Eyelash Hair	To amend the rule to allow dyeing of eyebrow and eyelash hair in accordance with federal regulation

STATE UNIVERSITY OF NEW YORK

SUN-40-23-00004-EP 10/03/24	Appointment of Employees and Leave of Absence for Employees in the Professional Service	Revise to comport with provisions of the collective bargaining agreement between the State and United University Professions
--------------------	----------------	---	--

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TAXATION AND FINANCE, DEPARTMENT OF			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-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
TAF-22-24-00001-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 July 1, 2024 through September 30, 2024
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-12-24-00007-P	..... 03/20/25	See attached Addendum #2	See attached Addendum #3
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-52-23-00001-P	..... exempt	A proposal to establish a new toll rate schedule for use of the central business district under the CBDTP operated by TBTA	A proposal to reduce traffic congestion in a manner that will generate revenue for future transportation improvements
TBA-22-24-00004-P	..... 05/29/25	Toll violation administrative fees with respect to TBTA facilities and Congestion Pricing Central Business District	Relating to 2024 legislative changes concerning payment and enforcement of toll violation fees
VICTIM SERVICES, OFFICE OF			
OVS-21-24-00004-P	..... 05/22/25	Limits on administrative expenses and executive compensation pursuant to Executive Order (EO) 38	As EO 38 has been discontinued, the purpose of this rule is to repeal regulations implementing EO 38

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

NexPoint Storage V DST
300 Crescent Court, Suite 700, Dallas, TX 75201
State or country in which incorporated — Delaware

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

PROVIDE SEWER LINE REPLACEMENT New York School for the Deaf Rome, Oneida County

Sealed bids for Project No. Q1798-C, comprising a contract for Construction Work, Provide Sewer Line Replacement, Buildings 11A, 11B & 15, New York State School for the Deaf, 401 Turin Street, Rome (Oneida 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 State Education Department, until 2:00 p.m. on Wednesday, July 17, 2024, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$18,200 for C).

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

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

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

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

The substantial completion date for this project is 120 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 July 8, 2024, NYS School for the Deaf, 401 Turin Street, Rome, 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 Matt Chesebro (315-281-8614) 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: 3% for the C trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

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

By OGS - Design & Construction Group

PROVIDE

SELECTIVE TRAINING UNACCOMPANIED HOUSING Camp Smith Training Site Cortlandt Manor, Westchester County

Sealed bids for Project Nos. 46038-C, 46038-H, 46038-P, and 46038-E, comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Selective Training Unaccompanied Housing Senior NCO & Officer, Camp Smith Training Site, 11 Bear Mountain Bridge Road, Cortlandt Manor (Westchester 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, July 17, 2024, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$65,200 for C, \$23,600 for H, \$23,900 for P, and \$27,900 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 \$2,000,000 and \$3,000,000 for C, between \$250,000 and \$500,000 for H, between \$250,000 and \$500,000 for P, and between \$500,000 and \$1,000,000 for E.

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

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or af-

ter January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 407 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on July 2, 2024, at Camp Smith, 11 Bear Mountain Bridge Road, Cortlandt Manor, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Daniel Reich (845-662-9303) a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 24 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Office of Homeland Security
1220 Washington Ave.
Bldg. 7a, 4th Fl.
Albany, NY 12242

THE STATE OF NEW YORK, FEDERALLY RECOGNIZED INDIAN TRIBAL GOVERNMENTS, LOCAL GOVERNMENTS (TO INCLUDE STATE-RECOGNIZED INDIAN TRIBES AND AUTHORIZED INDIAN TRIBAL ORGANIZATIONS) AND CERTAIN PRIVATE NON-PROFITS THAT PERFORM A GOVERNMENT-LIKE FUNCTION

Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP)

The New York State Division of Homeland Security and Emergency Services (DHSES) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds for Presidential Declaration: DR-4755 (New York Severe Storm and Flooding).

FEDERAL FUNDS AVAILABLE:	\$10.5 million for projects and project scoping (estimated)* \$800,000 for planning updates and activities (estimated)*
ELIGIBLE ACTIVITIES:	Hazard Mitigation Planning Updates and Planning Activities Hazard Mitigation Projects and Project Scoping [^]
DATE ANNOUNCED:	June 24, 2024
SUBAPPLICATIONS DUE TO DHSES:	September 13, 2024

To disseminate program information to the widest possible audience, DHSES publishes program information on its website and distributes the notices via email through the NYS Watch Center and asks that County Emergency Managers, Mitigation Coordinators, and other recipients of this notice forward the information to interested eligible subapplicants.

* Please note: It is anticipated that the available funding for the HMGP under DR-4755 will be higher. All subapplicants with potential projects, or planning updates or activities, including those where costs exceed current estimated funding, are encouraged to apply.

[^] Advance Assistance (project scoping) and 5 Percent initiative subapplications are eligible through this funding opportunity. All program requirements are available in FEMA's Hazard Mitigation Assistance (HMA) Unified Guidance (effective March 23, 2023; updated September 22, 2023).

If additional funds are awarded for HMGP under DR-4755, DHSES reserves the right to use those funds for Hazard Mitigation projects, Multi-Jurisdictional Hazard Mitigation planning updates or Hazard Mitigation planning activities submitted but not funded under other funding announcements. Should DHSES make funds available for Hazard Mitigation planning, Multi-Jurisdictional Hazard Mitigation plan updates would be selected based on the expiration date of the subapplicant's Multi-Jurisdictional Hazard Mitigation plan. Subapplications for projects, project scoping or planning activities may need to be re-ranked based on the priorities outlined in this announcement.

What is the HMGP?

After a Presidential disaster declaration, New York State receives HMGP funds to administer grant programs that support hazard mitigation planning and long-term mitigation measures that avoid loss of life, reduce damages to property and enhance the State's resiliency.

- The State of New York, acting through DHSES, is the applicant for FEMA's HMGP.

- Eligible subapplicants for HMGP assistance include federally recognized Indian Tribal Governments, local governments (to include State-recognized Indian Tribes and authorized Indian Tribal organizations) and certain Private Non-Profits (PNPs) that perform a government-like function. Eligible applicants under FEMA's Public Assistance (PA) program are also eligible subapplicants under the HMGP.

- Ineligible subapplicants for HMGP assistance include individuals and businesses; however, eligible subapplicants may apply on their behalf.

- FEMA's planning requirement must be met by all subapplicants at the time of project approval. The proposed activity must be consistent with the goals and objectives of the plan, and it must directly reduce the vulnerabilities identified in the risk assessment.

- For this funding opportunity, HMGP shall provide up to 75% reimbursement of eligible costs, not to exceed the award. The remaining 25% non-federal match will be the responsibility of the subapplicant. The non-federal cost share may consist of cash, donated or in-kind services, materials, or any combination thereof. While most Federal funds cannot be used for the non-federal match, there are some exceptions.¹

- Information about the HMGP and all program requirements are available in FEMA's Hazard Mitigation Assistance (HMA) Unified Guidance.

- HMGP funded projects must be cost-effective through verification that future benefits (losses avoided) are equal to or greater than the project's cost.

To receive HMGP funding, FEMA requires that a project be proven cost-effective using FEMA's Benefit-Cost Analysis (BCA) Toolkit.² If a formal BCA achieving a Benefit Cost Ratio (BCR) of 1.0 or greater (with supporting documentation) is not provided, substantive information to demonstrate that a BCR of 1.0 or greater is achievable must be included. Either instance requires supporting documentation, including but not limited to: a completed NYS DHSES BCA Worksheet, documentation of historical damages (which may include a detailed attestation by a community official), copies of invoices, Project Worksheets (PWs) from FEMA's Public Assistance (PA) program, or statement of likelihood of future damages (including the population impacted).

BCA Cost-effectiveness Updates:

As of April 26, 2024, FEMA has released Policy 206-23-001, Benefit-Cost Analysis Discount Rate and Streamlined Cost-Effectiveness for Hazard Mitigation Assistance and Public Assistance Programs. In accordance with the principles of OMB Circular A-94, FEMA will adopt the A-94 discount rate of 3.1% used for FEMA's BCA toolkit 6.0. Additionally, this policy includes streamlined cost-effectiveness determination methods, such as allowing subapplicants to submit a cost-effectiveness narrative, rather than a BCA, for projects costing less than \$1 million. Please note that this does NOT affect other programmatic eligibility requirements such as demonstrating technical feasibility (e.g. a hydrologic and hydraulic study, if ap-

plicable), which is evaluated separately from demonstrating cost-effectiveness.

State Priorities for Project Grants

The HMGP allows NYS to establish priorities that target damaged areas and enhance its resiliency posture by promoting strategies and activities identified in the NYS Standard Multi-Hazard Mitigation Plan (Mitigate NY). For this grant opportunity, HMGP funding will be available statewide for new subapplications and for resubmittals of projects previously deemed eligible by FEMA but unable to be funded through prior grant opportunities. All projects submitted will be ranked against each other based on priorities outlined below.

Following subapplication development, complete, eligible subapplications will be scored based on priorities below. While scoring will not take place until after subapplications are submitted, it is recommended that subapplicants review these priorities during the subapplication development process.

PRIORITIZATION CRITERIA

- 1 Projects located in Declared Counties - DR-4755 (Kings, Nassau and Westchester).
- 2 Projects to be completed in, or that will have direct risk reduction benefits to vulnerable populations. See Justice40 Initiative section below.
- 3 Projects that address climate change adaption and resiliency with consideration of the future impacts and risks associated with climate change. This includes promoting climate resiliency and reducing risks associated with flooding, high winds, coastal erosion, droughts, and wildfires.
- 4 Projects that protect and/or mitigate risk to repetitive loss structures and critical infrastructure.
 - 4.1 Projects that protect and/or mitigate risk to critical infrastructure.
 - 4.2 Projects that support utilities or other critical facilities' ability to adapt to future conditions and reduce risks.
 - 4.3 Projects that protect and/or mitigate risk to repetitive loss structures.

Justice40 Initiative:

In accordance with the guiding principle of promoting equity and in implementing the Justice40 Initiative, the HMGP program is prioritizing assistance that benefits disadvantaged communities as referenced in Presidential Executive Order 14008. A disadvantaged community may be characterized by variables including, but not limited to: Low income; high and/or persistent poverty; high unemployment and underemployment; racial and ethnic segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate; high energy cost burden and low energy access; jobs lost through the energy transition; access to health care; and all geographic areas within Tribal jurisdictions.

As a result of New York State's support of the federal Justice40 Initiative, DHSES is prioritizing projects that benefit the highest-risk communities and underserved populations within the State. Subapplicants are encouraged to provide a narrative explaining how a proposed project benefits disadvantaged communities (as outlined in the paragraph above). All identified cases submitted as a disadvantaged community will be considered and supported by utilizing predefined datasets (ex: SVI, ACS, NRI, etc.), supporting documents (ex: income surveys, local employment statistics, etc.), or any reasonable, and/or verifiable measure that supports the high-risk criteria status determination. The final acceptance/approval of any disadvantaged community designation will be determined by FEMA.

State Priorities for Planning Grants

There are two funding opportunities available through this announcement:

- 1. County Plan Updates

2. Planning Related Activities

County Plan Updates:

Subapplications for formal Hazard Mitigation planning and plan updates will be prioritized before planning related activities under this funding announcement.

Preference for formal hazard mitigation planning and plan updates will be prioritized for counties that:

- 1. Do not have a current, FEMA approved Hazard Mitigation Plan.
- 2. Have existing plans that expire prior to the plans of other subapplicants.
- 3. Do not have secured grant funding in place for development of a Hazard Mitigation Plan.
- 4. Do not have anticipated funding in place for development of a Hazard Mitigation Plan.

Funding may be prorated based on available funds; however, total dollars requested may not exceed HMGP established planning limits based on county population as follows:

Population	Cap:	Total Cost	Federal Share
up to 100,000 residents		\$150,000	\$112,500
up to 500,000 residents		\$200,000	\$150,000
up to 1,000,000 residents		\$250,000	\$187,500
more than 1,000,000 residents		\$500,000	\$375,000

Planning Related Activities:

Planning-related activities that are not formal plan updates will be scored based on the prioritization criteria for projects. For more information on planning and planning related activities, see Part 11 of the 2023 Hazard Mitigation Assistance Guidance (see link below). For supplemental guidance on eligible planning related activities, please see: https://www.fema.gov/sites/default/files/documents/fema_hma-planning-related-activities_factsheet.pdf

How to Apply

Complete subapplications must be submitted to DHSES no later than Friday, September 13, 2024. For resubmittals of projects previously deemed eligible by FEMA, please be sure to submit using the subapplication package for DR-4755 (see link below).

Subapplications, all required forms, and guidance materials can be found on the DHSES website at: <https://www.dhSES.ny.gov/current-funding-opportunities>.

Please submit requests and/or questions to: HazardMitigation@dhSES.ny.gov

New York State Hazard Mitigation Revolving Loan Fund

New York State has \$6.8 million in available funds for the Hazard Mitigation (HM) Revolving Loan Fund (RLF) and such funds may be used as the local match for HMGP projects. Please check the DHSES website at: Hazard Mitigation | Division of Homeland Security and Emergency Services (ny.gov) for updates on this new program, including how to apply, as they become available.

Other

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability, or marital status.

It is against the law for DHSES to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with State or Federal civil rights laws.

¹ Please consult FEMA's cost share guide (https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf) for more information.

² Visit FEMA's Benefit Cost Analysis website for more information: <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>

Division of Housing and Community Renewal

641 Lexington Ave.
New York, NY 10022

NON-PROFIT COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS (CDFI'S) WHO ARE IN GOOD STANDING WITH FEDERAL REQUIREMENTS

Climate Change Mitigation and Adaptation Retrofit Program (resilient retrofits)

Purpose

The Housing Trust Fund Corporation (“HTFC”) as part of New York State Homes and Community Renewal (“HCR”) invites eligible applicants to apply to administer the Climate Change Mitigation and Adaptation Retrofit Program (“Resilient Retrofits”). The Resilient Retrofit program is a half construction loan and half grant program (50/50) that awards low-to-middle income homeowners up to \$50,000 to help make repairs and upgrades to their homes that increase resiliency in the event of flooding and other weather-related disasters.

Through this Notice of Funding Availability (“NOFA”), HTFC plans to make up to twenty million dollars (\$20,000,000) available to eligible applicants for the distribution and administration of program funds.

Applications must be submitted via email to NOFA_Applications@hcr.ny.gov no later than 3:00 PM (EST) on Wednesday, July 31st, 2024. The initial grant to the Awardee will be for two (2) years, with the potential for an extension depending on the availability of funds and at the discretion of HTFC staff.

Background

In 2023, HTFC through the office of Homeownership and Community Development launched a \$10 Million pilot program to provide homeowners across New York State with access to grants and loans to make pro-active resiliency improvements to their homes. The goal of the program is to ensure that homeowners are more likely to avoid displacement in the aftermath of a weather event thanks to these fortification and resiliency improvements.

To date, the Resilient Retrofit program has committed awards to nearly 180 homeowners throughout the state committing almost the full \$10 Million in pilot funding.

Program Overview

In Round-2 of the Resilient Retrofit program, HTFC aims to help an additional 350 homeowners by making available \$20,000,000 in grant awards to the Awardees who will provide a combination of construction loans and forgivable grants to low- and middle- income single-family homeowners whose homes have or are likely to sustain flood damage or impacts from extreme weather events, i.e. heavy rainfall. Homeowners who qualify under this program may apply a portion of awarded funds to decrease their greenhouse gas emission consumption by improving the energy efficiency of the home and/or electrification of the home’s heating and cooling systems in conjunction with implementing flood resilient measures.

Home retrofit scopes may include closing off living-space below the base-flood elevation (BFE), adding better insulation to the envelope, installing high-efficient fixtures and appliances, and replacing aged, fossil fuel combustion heating and cooling systems with electric cold climate heat pumps and raising all mechanicals above the BFE. Onsite generation paired with these measures, such as solar panels or battery with battery back-up may also be included.

Program administrators are required to conduct homeowner outreach, loan underwriting, loan origination, loan servicing, grant administration, construction management, and program management. Applicants selected under this NOFA may sub-contract or partner with other entities to successfully administer the program.

Eligible Applicants

Eligible applicants for Resilient Retrofits must be non-profit Community Development Financial Institutions (“CDFI’s”) who are in good standing with Federal requirements.

Respondents under this NOFA must propose and demonstrate capacity to serve a specific geographic area within NY State and provide evidence that they:

(1) Have significant experience in underwriting, originating, and servicing small balance loans and/or grants.

(2) Have experience with assisting homeowners with home improvements, and has or can hire, construction management services to oversee contract scopes and project completion.

(3) Have, or can hire, experience in reviewing scopes of work on single family homes related to resiliency and energy efficiency retrofitting Applicants with experience in home energy auditing will positively weighted.

(4) Have a plan to identify a sufficient number of single-family homeowners who would benefit from flood mitigation, energy efficiency, and/or energy electrification retrofits to their homes (“Program Participants”) within in the specified geography.

(5) Have a plan to subcontract with other housing counseling and/or community-based organizations who have a presence in flood-prone communities. These organizations should have expressed an interest in conducting outreach to potential Program Participants and providing case management and/or housing counseling to Program Participants.

Eligible Activities

Applicants selected by HTFC to administer Resilient Retrofit (the “Awardee”) will be expected to work with HTFC program staff to create a work plan, which may include, but is not limited to:

- Underwriting, originating, and servicing construction loans and grants to eligible Program Participants.
- Hiring partner organizations and professional services, including engineers to conduct on-site assessments of the flood risk of the homes and provide a written report giving recommendations for home improvements, as well as energy auditors to conduct on-site energy assessments of the homes, both before and after retrofits.
- Building or leveraging existing relationships with local, county, regional, and state officials, as well as civic and homeowner associations, to identify potential Program Participants in flood prone communities.
- Conducting meetings with Program Participants to gather applications and supporting documentation such as proof of ownership, local flood zone information, and income documentation.
- Assisting Program Participants in hiring building contractors to perform the home improvement work.
- Assisting Program Participants in accessing homeownership counseling and understanding their financing options on an as needed basis.
- Managing and providing oversight for the construction scopes and change orders.
- Providing program status updates and feedback to HTFC staff to guide the program development and assess its success, including regular financial reporting in respect to portfolio performance.

Ineligible Activities

Funds cannot be used to cover the cost of preparing a grant application.

Eligible Costs

Under this program, loans to homeowners will carry a 1% interest rate which is intended to cover both loan origination and servicing fees. Applicants are required to provide a program budget in their application.

Proposed budgets should consider:

- Loan/grant proceeds must make up 90% of the overall budget requested by the applicant. HTFC staff may determine that the repayment of loans should be recycled to assist more eligible Program Participants or repaid to the HTFC.
- Up to ten percent (10%) of the budget requested can be for program administration, including:
 - o Time and materials for program management and administration.
 - o Case management and housing counseling costs.
 - o Professional service costs such as engineer, design, auditing, and construction management services.

o Marketing and outreach expenses.

Disbursement schedules will be determined by HTFC staff prior to the execution of a program Grant Agreement. Administrative and other program funds may be paid as the Awardee achieves milestones in the program administration.

Proposal Costs and Materials

HTFC will not be held liable for any cost incurred by the applicant for work performed in the preparation, production, or submission of a proposal in response to this NOFA. All proposal materials and information submitted as part of the application shall become the property of HTFC. No materials, curricula, media or other content will be returned to the applicant.

Evaluation and Selection Criteria

Applicant proposals will be examined for completeness and eligibility. Incomplete proposals and those that do not meet eligibility requirements may be rejected as ineligible. Complete proposals and those that meet eligibility requirements will be reviewed and rated. The maximum rating is 100 points.

Applications should include a PDF attachment that responds to the following questions. This PDF should not exceed eight (8) pages in length.

1. Organizational Background and Experience (maximum 30 points):

Measures the overall functionality of the organization and its relevance to the work that would be performed under the grant, if awarded. Organizations who have, or can hire, expertise in construction management, particularly as it relates to flood mitigation and energy efficiency retrofits as well as the installation of electric heat pumps are preferred. Relevant experience in flood-plain management and energy efficiency/electrification of single- family homes is also preferred.

2. Ability to Staff and Administer Grant (maximum 30 points):

Measures the ability of the organization to dedicate staff and resources towards the administration of the grant, if awarded. Proposals that identify the geographic region they have competency to cover and demonstrate an ability to hire staff or allocate current staff time towards administering the grant, if awarded, as well as sub-contracting with a qualified engineer firm are preferred.

3. Organizational Capacity & Readiness to Proceed (maximum 20 points):

Measures the extent to which the applicant has organized the proposal and assembled enough resources to complete the project within the defined geographic scope and demonstrates the ability to achieve the goals and objectives of the program in a manner that is timely, effective and on-budget. Proposals that document adequate organizational structures and procedures to implement the proposed project without delay will receive high scores.

4. Ability to Generate Demand (maximum 20 points):

Organizations that demonstrate an ability to identify Program Participants are preferred. Organizations that can demonstrate an interest from local organizations and/or local governments that are willing to provide outreach and case management support are preferred. Organizations who include marketing and outreach proposals in their application are preferred.

Submission Guidelines:

Please include the following documents in one single PDF file. The program budget and narrative should not exceed eight (8) pages in total and must be included of the cover letter, program budget, and program narrative.

1. Cover Letter: Legal name of the applicant organization; the Federal Identification Number (FEIN), Name of Point of Contact for the Proposal, their phone number and e-mail address, proposed geographic region to be served (List of Counties), amount of funds requested, and any partner organization(s) for this project (if applicable).

2. Program Budget & Budget Narrative: A table outlining the cost of the program from the amount of loan and grant funds being distributed, administrative costs, etc. A budget narrative should accompany the budget justifying the amount being requested.

3. Program Narrative: Answer all the questions referenced in the evaluation criteria guidelines above.

Submit the completed application to the email address: NOFA_Applications@hcr.ny.gov by the submission deadline. All completed applications will be reviewed and scored.

Application and Award Timeline

Issuance of NOFA	Tuesday, June 11th, 2024
Deadline for Submission of Proposals	Wednesday, July 31st, 2024
Revised Proposal Period and Interview(s) (if needed)	August 5th – 16th, 2024
Anticipated Preliminary Award Selection (award(s) will be contingent on HTFC Board approval, which will occur after this date)	Wednesday, August 28th, 2024

HTFC further reserves the right to:

- Waive any requirement contained in this NOFA or revise the terms or schedules or extend this NOFA at their discretion.
- Communicate with an applicant for the purpose of addressing clerical and mathematical errors in applications.
- Not to issue an award or contract to any applicant if it has been determined that the applicant is not in compliance with existing contracts and has not taken satisfactory steps to remedy such non-compliance. Activities that commence prior to contract execution and environmental review will not be eligible for reimbursement.
- Award all, more than identified, a portion of, or none of the available funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, the applicant's ability to advance the State's housing goals, and HTFC's assessment of cost reasonableness. HTFC reserves the right to award all, a portion of, or none of the application's requested amount, and further reserves the right to review an application requesting funds as an application for funding under other programs for which the proposed activity is eligible, and to change or disallow aspects of the applications received.
- Change or disallow aspects of the applications received and may make such changes an expressed condition of its commitment to provide funding for proposed activities. Award of funds does not confirm eligibility of all activities included in an application proposal.

Notification of changes in connection with this NOFA will be posted and made available to all interested parties via <https://hcr.ny.gov/funding-opportunities>

Award Recommendations and HTFC Board Approval

Awards are recommended based on available funding, proposal quality and project feasibility as determined by the review and rating of an application. The evaluation and selection criteria are detailed in the NOFA. Recommendations are advanced to the HTFC Board for consideration and the Resilient Retrofits award must be approved by the HTFC Board prior to the execution of a grant agreement.

Application Status and Notification

Applicants will receive one of the notifications below in response to their application:

- Incomplete: Application presents potentially eligible project but provides insufficient information. Applicants will be provided with an opportunity to submit additional documentation.
- Non-Award Notification: Application presents an incomplete, non-competitive, not viable project and will not receive an award under this NOFA.
- Preliminary Award Notification: Application presents a complete, eligible, competitive and feasible project. The project has been recommended to and approved by HTFC Board of Directors for funding.

Program Grant Agreements

The Awardee may be asked to revise parts of their proposal prior to entering into a program grant agreement. After any required revisions are submitted and approved, a final program grant agreement will be

executed. The program grant agreement will require that Awardees expend all funds and meet all program goals within a two-year (2) term with the possibility for an extension, at the discretion of HTFC staff.

An applicant should not apply if the project will not begin within a reasonable time after receiving an executed grant agreement or will not be able to complete the project within the term. Funds remaining at the end of the term are subject to de-obligation and reallocation.

Equal Employment Opportunity/Minority and Women Owned Business and Affirmative Action

Under Article 15A of the New York State Executive Law, all award recipients and their contractors are required to comply with the equal employment opportunity provisions of Section 312 of that Article. Also, all contractors and awardees are required to make affirmative efforts to ensure that New York State Certified Minority and Women-Owned Business Enterprises are afforded opportunities for meaningful participation in projects funded by HTFC pursuant to Section 313 of the Article.

Questions

Any questions regarding this NOFA or the application process should be directed to: NOFA_applications@hcr.ny.gov

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE

Department of Health

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

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for institutional, non-institutional and long-term care services pursuant to the enacted 2024-2025 executive budget. The following clarifications are proposed:

All Services

The following is a clarification to the March 27th, 2024 noticed proposal to adjust rates of payments statewide to reflect a 1.5 percent (1.5%) Cost of Living Adjustment. With clarification, this increase will now be 2.84 percent (2.84%) and relating to the following: Office of Mental Health (OMH), Office of Addiction Services and Supports (OASAS), and Office for People With Developmental Disabilities (OPWDD) State Plan Services: OMH Outpatient Services, OMH Clinic Services, OMH Rehabilitative Services, Comprehensive Psychiatric Emergency Program, including Extended Observation Beds, Children Family Treatment Support Services, Health Home Plus, Psychiatric Residential Treatment Facilities for Children and Youth, OASAS Outpatient Addiction Services, OASAS Freestanding (non-hospital) Inpatient Rehabilitation Services, OASAS Freestanding Inpatient Detox Services, OASAS Addiction Treatment Centers, OASAS Part 820 Residential Services, OASAS Residential Rehabilitation Services for Youth, Intermediate Care Facility (ICF/IDD), Day Treatment, Article 16 Clinic Services, Specialty Hospital, Independent Practitioner Services for Individual with Developmental Disabilities (IPSIDD), and OPWDD Crisis Services.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2024-2025 is \$49.9 million.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at <http://www.health.ny.gov/regulations/>

state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

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

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

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

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

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

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

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

PUBLIC NOTICE

Department of State

F-2024-0192

Date of Issuance – July 10, 2024

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

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

In F-2024-0192, Wolfgang Peter Haack is proposing to install a 4' x 55' fixed dock with open-grate decking, a 2.61' x 14' gangway and a 6' x 20' floating dock at 700 Deep Hole Drive in the Town of Southold, Suffolk County on Deep Hole Creek.

The stated purpose of the proposed action is to be able to dock a boat at the residence.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/07/f-2024-0192.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.

The proposed activity would be located within the Town of Southold Local Waterfront Revitalization Program: <https://dos.ny.gov/location/town-southold-local-waterfront-revitalization-program>

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 August 9, 2024.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2024-0336

Date of Issuance – July 10, 2024

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

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

In F-2024-0336, National Grid is proposing the installation of several permanent permeable gravel access roads within their existing fee-owned Electric Transmission Line Right-of-Way (R.O.W.) and the replacement of 20 transmission line structures in the vicinity of the proposed access roads on the Huntley 130/Walck Road – Huntley 133 transmission circuit. Located along National Grid Electric Transmission ROWs off of Two Mile Creek Road and Pirson Parkway, between I-190 and CSX RR Tracks, City and Town of Tonawanda, Erie County, Field Delineated Wetlands.

The stated purpose of the proposed action is to provide permanent access to transmission line structures located within this corridor to support emergencies and maintenance activities.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/7/f-2024-0336.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 August 9, 2024.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2024-0345

Date of Issuance – July 10, 2024

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

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

In F-2024-0345, Eva Maria Vicente is proposing to remove and replace the existing 73-foot bulkhead in-place with navy style bulkhead up to 18-inches higher, add two 6-foot returns, place 25 cubic yards of clean fill as backfill, and install a 4-foot by 50-foot walkway leading to a 3-foot by 20-foot ramp and an 8-foot by 20-foot float off the existing bulkhead. The proposal is for the applicant's property located at 2 Marion Place in the Village of Island Park, Nassau County on West Hempstead Bay.

The stated purpose of the proposed action is to stabilize the shoreline and provide recreational enhancement.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/07/f-2024-0345.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.

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s): West Hempstead Bay State Designated Significant Coastal Fish and Wildlife Habitat: https://dos.ny.gov/system/files/documents/2020/03/west_hempstead_bay.pdf

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 August 9, 2024.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205, 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.

2024-0281 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 9 Union Street, City of Schenectady, County of Schenectady, State of New York.

2024-0288 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 11 North Church Street, City of Schenectady, County of Schenectady, State of New York.

2024-0290 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 32 North Ferry Street, City of Schenectady, County of Schenectady, State of New York.

2024-0291 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing

building located at 33 North Ferry Street, City of Schenectady, County of Schenectady, State of New York.

2024-0292 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 58 Washington Avenue, City of Schenectady, County of Schenectady, State of New York.

2024-0293 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 113 Front Street, City of Schenectady, County of Schenectady, State of New York.

2024-0294 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 208 Union Street, City of Schenectady, County of Schenectady, State of New York.

2024-0296 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 25 North Ferry Street, City of Schenectady, County of Schenectady, State of New York.

2024-0298 Matter of Property Pro Realty Group, Inc., 51 Broad Street, Waterford, NY 12188, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 43 Washington Avenue, City of Schenectady, County of Schenectady, State of New York.

2024-0313 Matter of Lydon Architectural Services, P.C., 255 Great Arrow Avenue, Suite 202, Buffalo, NY 14207, for a variance concerning safety requirements, including unlimited building area. Involved is an addition to an existing building located at 3979 Walden Avenue, Town of Lancaster, County of Erie, State of New York.

chargers. Involved is a mall located at 650 Lee Blvd., Town of Yorktown Heights, County of Westchester, State of New York.

2024-0320 In the Matter of United Design Works LLC, Keith Pitocchi, 275 Park Avenue, Suite A, Brooklyn, NY 11205, for a variance concerning safety requirements, including headroom. Involved is a parking garage located in the Village of Pelham, County of Westchester, State of New York.

2024-0321 In the Matter of JK Expediting Services Corp., Joel Kohn, 390 Broadway, Monticello, NY 12701, for a variance concerning safety requirements, including showers in a building. Involved is a one-story building located at 101 Tunnel Hill Road, Town of Fallsburg, County of Sullivan, 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.

2024-0315 Matter of Integrity Appraisal and Consulting, Anthony Basile, 45 Constable Lane, Levittown, NY 11756, for a variance concerning safety requirements, including toilet room and plumbing fixture requirements. Involved is an existing building involved is an existing dwelling located at 5 Brewster Street; City of Glen Cove, 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.

2024-0316 In the Matter of Valente Electrical Contracting Corp., John Valente, 575 Carman Avenue, Westbury, NY 11590, for a variance concerning safety requirements, including electric vehicle

