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**NEW YORK STATE**  
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***INSIDE THIS ISSUE:***

- Regulations Governing the Recreational Fishing of Scup and Summer Flounder
- Criteria for the Decommissioning of Radioactive Material Licensed Sites
- IEDR Limitation of Liability

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

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

- the 60-day period expires on September 15, 2024
- the 45-day period expires on August 31, 2024
- the 30-day period expires on August 16, 2024

**KATHY HOCHUL  
GOVERNOR**

**WALTER T. MOSLEY  
SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

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*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

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

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

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

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

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

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

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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.

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

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

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

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## Delaware River Basin Commission

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### INFORMATION NOTICE

#### Rules of Practice and Procedure

FILING DATE: June 26, 2024, as a final regulation.

EFFECTIVE DATE: July 22, 2024.

ACTION TAKEN: By Resolution No. 2024-06 on June 5, 2024, the Delaware River Basin Commission approved amendments to its Rules of Practice and Procedure to: resolve ambiguities around the automatic termination of project approvals issued by the Commission and make conforming amendments to related provisions as appropriate; update the Commission's Water Resources Program and Project Review procedures to better conform them to current practice; remove incorrect references to the Federal Freedom of Information Act in the Commission's regulations providing for access to public records; align pronouns with the Commission's policies regarding diversity, inclusion, and belonging; and correct certain cross-references.

STATUTORY AUTHORITY: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 Statutes at Large 688; 53 Delaware Laws, Chapter 71, Approved May 26, 1961; New Jersey Laws of 1961, Chapter 13, Approved May 1, 1961; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2; and Pennsylvania Acts of 1961, Act No. 268, Approved July 7, 1961.

PURPOSE: The final rule amends title, 18, part 401 of the Code of Federal Regulations, 18 C.F.R. Part 401, which is codified in the New York Codes, Rules and Regulations (NYCRR) at Title 21, Chapter XVIII, Subchapter A. C.F.R. citations are used throughout the preamble; however, the amended rule text is presented using the NYCRR numbering system.

For further information, contact Pamela M. Bush, Esquire, Commission Secretary and Assistant General Counsel, at pam.bush@drbc.gov or 609-477-7203.

SUPPLEMENTARY INFORMATION: The Delaware River Basin Commission ("DRBC" or "Commission") is a Federal-interstate compact agency formed by the enactment of concurrent legislation by four states and the United States in 1961<sup>1</sup> to manage the water resources of the Delaware River Basin (the "Basin") without regard to political boundaries. The Commission's members are, ex officio, the governors of the states of Delaware, New Jersey, New York, and Pennsylvania, and the Division Engineer of the U.S. Army Corps of Engineers North Atlantic Division, who represents the United States.

<sup>1</sup> United States Public Law 87-328, Approved Sept. 27, 1961, 75 Statutes at Large 688; 53 Delaware Laws, Ch. 71, Approved May 26, 1961; New Jersey Laws of 1961, Ch. 13, Approved May 1, 1961; New York Laws of 1961, Ch. 148, Approved March 17, 1961; Pennsylvania Acts of 1961, Act. No. 268, Approved July 7, 1961.

#### Background

The Commission's Rules of Practice and Procedure ("RPP"), comprising part 401 of title 18 of the Code of Federal Regulations, govern the adoption and revision of the Commission's Comprehensive Plan and Water Resources Program, exercise of the Commission's authority pursuant to the provisions of Article 3.8 of the Delaware River Basin Compact (the "Compact"), and other actions of the Commission mandated or authorized by the Compact, including but not limited to the administration of public access to records and information in the Commission's possession.

On September 28, 2023, the Commission published a proposed rule (88 FR 66722) to amend the RPP to: resolve ambiguities around the automatic termination of project approvals issued by the Commission and make conforming amendments to related provisions as appropriate; update the Commission's Water Resources Program and Project Review procedures to better conform them to current practice; remove incorrect references to the Federal Freedom of Information Act in the Commission's regulations providing for access to public records; and align pronouns with the Commission's policies regarding diversity, inclusion, and belonging. A notice of the proposed amendments appeared in the Delaware Register of Regulations, 27 Del. Reg. 196, 206, on October 1, 2023, the New Jersey Register, 55 N.J.R. 2179(a), on October 16, 2023, the New York Register, 45 N.Y. Reg. 9, on October 11, 2023, and the Pennsylvania Bulletin, 53 Pa. B. 6698, on October 28, 2023.

Opportunity for public input on the proposed rules was provided during a comment period that ran from September 28, 2023, through November 30, 2023. In addition to soliciting written comments, the Commission accepted oral comment at two hearings conducted via Zoom and telephone. The Commission received a total of 209 public comment submissions, consisting of 199 written submissions and ten oral comments. The submissions typically consisted of a set of comments from a single individual or organization, and they typically addressed more than one aspect or provision of the proposed amendments. In many instances, a single submission included a set of comments by two or more individuals or organizations. Some submissions consisted of petitions or a set of comments with multiple signers. Similar or identical comments were in many instances submitted by individual commenters using form letters or template language provided by others. Commenters were not limited to a single submission, and some commenters offered two or more submissions. The "199" figure represents the number of individual written submissions the Commission received during the comment period without regard to the number of comments within a submission, the number of signers on a single submission, or the number of individuals making a joint submission.

The Commission reviewed all comments and supporting material it received during the comment period. The staff, in consultation with the Commissioners, prepared a Comment and Response Document summarizing the comments on the proposed rule and setting forth the Commission's responses and revisions in detail. By Resolution No. 2024-06 on June 5, 2024, the Commission adopted the Comment and Response Document simultaneously with its adoption of the final rule.

## Changes from the Proposed Rule

The final rule differs from the proposal in the following respects:

Action on request for extension. The final rule provides that the Commissioners, not the Executive Director, will approve or deny all requests for extended or renewed approval under amended § 401.41(a) and (b), respectively. In conjunction with this change, rather than establishing a prescribed extension term of five years, as originally proposed, the final rule at § 401.41(a) provides for the Commissioners to grant an extension of up to five years.

Eligibility for extension. Under the final rule, to qualify for extension of a docket approval that would otherwise expire under § 401.41, in addition to demonstrating that approved activities, site conditions, and the Comprehensive Plan have not materially changed, the docket holder (project sponsor) will be required to demonstrate that it is diligently pursuing the project, which can be shown through its planning, construction or project operational activities, its project expenditures, its efforts to secure government approvals necessary for the project, or its active participation in appeals of government decisions on its applications for government approvals.

The docket holder will not be required to demonstrate that it has expended a fixed, minimum dollar amount, a proposal to which commenters objected. Nor will the docket holder be obligated to show that it has expended a substantial sum in relation to the project cost, as the rule originally provided, or that it has expended a fixed percentage representing a substantial sum in relation to the total cost of the project, as some commenters proposed. In the Commission's view, those approaches are impracticable where the project costs consist primarily of construction costs, and where the sponsor could not lawfully or reasonably commence construction because all final approvals have not been secured.

Public process. In accordance with the final rule, the Commission will publish notice that it has received a request for a docket extension under § 401.41(a) and provide an opportunity for written comment of at least ten days' length on whether the docket holder has demonstrated all elements requisite for an extension—i.e., that the approved activities, site conditions, and Comprehensive Plan have not materially changed, and that the project sponsor has diligently pursued the project in reliance on the Commission's approval. The project sponsor will be afforded an opportunity to respond to the comments received but will not be obligated to do so. The Commission will provide notice at least ten days prior to the date of a business meeting at which the Commissioners consider action on a request pursuant to § 401.41(a).

Public hearing. The final rule provides that a public hearing on a request for a docket extension under § 401.41(a) will be held if three or more Commission members request such a hearing in writing to the Executive Director or by vote at a public meeting.

Administrative continuance. Under the final rule, a docket that is the subject of a request for extension under § 401.41(a) filed at least 90 days before the docket's expiration will be administratively continued pending final Commission action on the request in the event that such action occurs after the otherwise effective date of termination.

Construction complete. The final rule clarifies that if the activities authorized by the Commission's docket are limited to construction activities, an extension in accordance with § 401.41(a) is no longer required once construction is complete. Because some dockets issued for construction activities impose ongoing obligations on docket holders, the final rule further clarifies that the expiration of the docket, including any approved extension, does not eliminate ongoing docket obligations expressly identified as such in the docket approval.

Language of final § 401.41(b). The final language adopted for § 401.41(b) has been modified from the originally proposed language to more accurately reflect that the burden is on the docket holder to demonstrate eligibility for an extension under § 401.41(a).

Process for re-application. Under the final rule, if a request for extension under § 401.41(a) is denied, and the project sponsor wishes to apply for renewal of its docket approval under paragraph (b), the project sponsor must do so by a date to be established by the Commission. In this situation, the docket approval is not thereafter administratively continued automatically. However, the Commission may, in its discretion, administratively extend the docket approval in whole or in part for a period ending on or before the date on which the Commission renders a final decision on the sponsor's renewal application.

## Correcting Amendments

On October 8, 1987, the Commission redesignated portions of the Rules of Practice and Procedure (52 FR 37602). The final rule that contained the redesignation inadvertently failed to update certain cross-references affected by the redesignation. This final rule corrects those cross-references. The affected provisions are 18 CFR 401.108(c), 401.109(a), (d), and (e), 401.113, and 401.115(b).

With this Information Notice, the Commission also corrects two sec-

tions of the Commission's regulations as codified in the NYCRR. These sections, consisting of regulatory program fees and a schedule of water charges, are codified in the Code of Federal Regulations at 18 CFR 401.43 and 420.41, respectively, and in the NYCRR at 21 NYCRR 833.12 and 883.1, respectively. As adopted by the Commission in December 2016 and set forth in 18 CFR 401.43(c) and 420.41(c), certain of the fees and rates that appear in the noted sections are subject to a yearly adjustment commensurate with any increase in the annual April 12-month Consumer Price Index for Philadelphia, published by the U.S. Bureau of Labor Statistics during that year. In accordance with the approved regulations, the Commission has published the revised fees and rates each year since, only in the Federal Register and on the Commission's website. The Commission's most recent final rule concerning this annual fee adjustment appears at 89 FR 46322 (May 29, 2024). With today's Notice, the current rates will replace the outdated rates in the two sections of the NYCRR.

As a result of the corrections noted above, the modifications to the text of 21 NYCRR 833.12 and 883.1, shown below, display revisions to the Commission's current regulations as set forth in the Code of Federal Regulations, rather than to the latest version published in the NYCRR.

## Additional Materials

Additional materials are available on the Commission's website at: [https://www.nj.gov/drbc/about/regulations/finalrule\\_RPPamendments.html](https://www.nj.gov/drbc/about/regulations/finalrule_RPPamendments.html). These include links to Resolution No. 2024-06 of June 5, 2024 adopting the final rule and incorporating a clean copy of the rule text; the Commission's Comment and Response Document; a mark-up comparing the final to the proposed rule text; a mark-up comparing the final to the former rule text; and copies of the comments received.

The Commission's notice of proposed rulemaking and proposed rule text also can be found on the Commission's website at:

[https://www.nj.gov/drbc/meetings/proposed/notice\\_RPP\\_amendments.html](https://www.nj.gov/drbc/meetings/proposed/notice_RPP_amendments.html)

Pamela M. Bush,

Commission Secretary/Assistant General Counsel

Dated: June 26, 2024

For the reasons set forth in the preamble, effective July 22, 2024, the Commission's rule adoption amends Title 21, Chapter XVIII, Subchapter A of the NYCRR as set forth below. Deletions are represented by bracketed text and additions are represented by italicized text. Asterisks represent no change to existing text.

## Part 831

## COMPREHENSIVE PLAN (ARTICLE 1)

(Statutory Authority: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 U.S. Statutes at Large 688; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2)

[Title 21, Chapter XVIII, Section 831.8 of the NYCRR is revised as follows.]

§ 831.8 Public projects under Article 11 of the Compact.

(a) After a project of any Federal, State, or local agency has been included in the Comprehensive Plan, no further action will be required by the Commission or by the agency to satisfy the requirements of Article 11 of the Compact, except as the Comprehensive Plan may be amended or revised pursuant to the Compact and this part. Any project which is *materially* changed[*substantially*] from the project as described in the Comprehensive Plan will be deemed to be a new and different project for the purposes of Article 11 of the Compact. Whenever a change is made the sponsor shall advise the Executive Director, who will determine whether the change is deemed a *material change*[*substantial*] within the meaning of this part.

\* \* \* \* \*

## Part 832

## WATER RESOURCES PROGRAM (ARTICLE 2)

(Statutory Authority: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 U.S. Statutes at Large 688; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2)

[Title 21, Chapter XVIII, Sections 831.2-3 of the NYCRR are revised as set forth below.]

§ 832.2 Concept of the program.

The Water Resources Program, as defined and described in section 13.2 of the Compact, will be a reasonably detailed amplification of that part of the Comprehensive Plan which the Commission recommends for action-[within the ensuing six year period]. That part of the Program consisting of a presentation of the water resource needs of the Basin will be revised only at such intervals as may be indicated to reflect new findings and conclusions, based upon the Commission's continuing planning programs.



§ 832.3 Procedure.

The Water Resources Program will be prepared and considered by the Commission for adoption annually. Projects[Each project] included in the Water Resources Program shall have been previously included in the Comprehensive Plan, except that a project may be added to both the Plan and the Program by concurrent action of the Commission. In such instances, the[The] project's sponsor shall furnish the[following] information listed in section 831.4 prior to the inclusion of the project in the Comprehensive Plan and Water Resources Program.[]

- (a) The Comprehensive Plan data brought up-to-date for the period of the Water Resources Program;
- (b) Specific location and dimension of a structural project, and specific language of a standard, policy or other non-structural proposal;
- (c) The plan of operation of a structural project;
- (d) The specific effects of a non-structural project;
- (e) Sufficient data to indicate a workable financial plan under which the project will be carried out; and
- (f) A timetable for implementation.[]

[Title 21, Chapter XVIII, Part 832 is amended by the repeal of Sections 832.4–6.]

Part 833

PROJECT REVIEW UNDER SECTION 3.8 OF THE COMPACT (ARTICLE 3)

(Statutory Authority: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 U.S. Statutes at Large 688; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2)

[Title 21, Chapter XVIII, Section 833.7 of the NYCRR is revised as set forth below.]

§ 833.7 Form of referral by State or Federal agency.

Upon receipt of an application[approval] by any State or Federal agency for[of] any project reviewable by the Commission under this subchapter, if the project has not prior thereto been reviewed and approved by the Commission, such agency shall refer the project for review under section 3.8 of the Compact in such form and manner as shall be provided by Administrative Agreement.

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[Title 21, Chapter XVIII, Section 833.8 of the NYCRR is hereby repealed and replaced with the text as set forth below.]

§ 833.8 Form of submission of projects.

(a) Submission constituting application. Where a project is subject to review under section 3.8 of the Compact, the submission shall be in accordance with such form of application as the Executive Director may prescribe and with such supporting documentation as the Executive Director may reasonably require for the administration of the provisions of the Compact. An application shall be deemed complete and the Commission's review of the application may commence upon submission of the completed form in accordance with paragraph (b) of this section, and payment of the applicable fee as set forth in § 401.43 together with all balances due the Commission, if any, by the applicant or any member of its corporate structure, for unpaid fees, penalties, or interest.

(b) Submission of applications. Application forms and accompanying submissions shall be filed in accordance with the filing instructions included on the application form.

(c) Availability of forms. Any person may obtain a copy of any form prescribed for use in paragraph (a) of this section on the Commission's website, <https://www.drbc.gov>.

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[Title 21, Chapter XVIII, Section 833.10 of the NYCRR is hereby repealed and replaced with the text as set forth below.]

§ 833.10 Limitation of approval; dormant applications.

(a) Extension (no material change)—(1) Term of approval; extension request. For any Commission approval not assigned an expiration date, the Commission's approval shall expire five years from the approval date unless prior thereto the Commission extends the approval for an additional period of up to five years, based upon a written request from the project sponsor accompanied by supporting documentation demonstrating that the following criteria have been met:

- (i) No material changes to the project as approved are proposed;
- (ii) The condition of the project site has not changed in a manner important to determining whether the project would substantially impair or conflict with the Commission's Comprehensive Plan;
- (iii) The Commission's Comprehensive Plan has not changed in a manner important to determining whether the project would substantially impair or conflict with the Comprehensive Plan; and
- (iv) The project sponsor is diligently pursuing the project as shown

by its planning, construction or project operational activities, its project expenditures, its efforts to secure government approvals necessary for the project, or its active participation in appeals of government decisions on its applications for government approvals. The project sponsor is not required by this paragraph (a)(1)(iv) to conduct activities that it is not legally authorized to conduct or that it demonstrates would be unreasonable for it to conduct before obtaining all necessary final government approvals.

(2) Denial of extension request. Otherwise, the extension request shall be denied, and the project sponsor may apply for renewal of its approval under paragraph (b) of this section by a date to be established by the Commission. If the Commission denies the request for an extension pursuant to this section, the docket approval shall not be administratively continued automatically pursuant to paragraph (a)(5) of this section. The Commission may, however, in its discretion, administratively extend the docket approval in whole or in part for a period ending on or before the date on which the Commission renders a final decision on the sponsor's re-application under paragraph (b) of this section.

(3) Public notice. The Commission will publish notice of receipt of a request for extension under this paragraph (a) and will provide notice at least ten days prior to the date of a business meeting at which the Commissioners may act on such request.

(4) Public comment. An opportunity for written comment of at least ten days' length will be provided on a request for extension. The project sponsor will be afforded an opportunity to respond in writing to the comments received. A public hearing will be provided if three or more Commission members ask the Executive Director in writing to schedule one or vote during a public meeting of the Commission to provide one.

(5) Administrative continuance. A docket that is the subject of a request for extension under paragraph (a) of this section filed at least 90 days before the docket's expiration shall be administratively continued pending the Commission's final action on the request in the event that such action occurs after the otherwise effective date of termination under this section.

(6) Extensions no longer needed. If the activities authorized by a docket are limited to construction activities, an extension is no longer required once construction is complete; however, the expiration of the docket, including any approved extension, does not eliminate ongoing docket obligations expressly identified as such in the docket approval.

(b) Re-application (material change). If the Commission determines that the project sponsor has failed to demonstrate that no material changes to the project as approved are proposed and that the other criteria listed in paragraph (a)(1) of this section are satisfied, the project sponsor must apply for renewal and any necessary modification of its approval in accordance with the customary application procedure for any docket renewal or approval.

(c) Automatic termination of application. Any application that remains dormant (no proof of active pursuit of approvals) for a period of three years from date of receipt, shall be automatically terminated without further action of the Commission. Any renewed activity following that date will require submission of a new application.

[Title 21, Chapter XVIII, Sections 833.11–12 are revised as set forth below.]

§ 833.11 One Permit Program.

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(e) Comprehensive Plan projects. Articles 11 and 13 of the Compact require certain projects to be included in the Comprehensive Plan. To add a project not yet included in the Comprehensive Plan, the project sponsor shall submit a separate application to the Commission. If following its review and public hearing the Commission approves the addition of the project to the Comprehensive Plan, the Commission's approval will include such project requirements as are necessary under the Compact and this subchapter[Commission regulations]. All other project approvals that may be required from the Signatory Party Agency or the Commission under regulatory programs administered pursuant to this section may be issued through the One Permit Program. An application for renewal or modification of a project in the Comprehensive Plan that does not materially change the project [so substantially as to render it a new and different project] may be submitted only to the Signatory Party Agency unless otherwise specified in the Administrative Agreement.

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§ 833.12 Regulatory program fees.

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(b)\*\*\*

(1)\*\*\*

(ii) Project requiring inclusion in the comprehensive plan. Any project that in accordance with section 11 or section 13.1 of the Delaware

River Basin Compact and DRBC regulations must be added to the Comprehensive Plan (also, "Plan"). In addition to any new project required to be included in the Plan, such projects include existing projects that in accordance with section 13.1 of the Compact are required to be included in the Plan and which were not previously added to the Plan. Any existing project that is *materially* changed[*substantially*] from the project as described in the Plan shall be deemed to be a new and different project for purposes of this section.

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(4)\*\*\*

(ii) Late filed renewal application. Any renewal application submitted fewer than 180[120] calendar days in advance of the expiration date or after such other date specified in the docket or permit or letter of the Executive Director for filing a renewal application shall be subject to a late filed renewal application charge in excess of the otherwise applicable fee.

(iii) Modification of a DRBC approval. Following Commission action on a project, any *material change* to the[each] project as approved[revision or modification that the Executive Director deems substantial] shall require an additional application *and accompanying fee*. *Such fee shall be* calculated in accordance with paragraph (e) of this section and may be subject to an alternative review fee in accordance with paragraph (b)(3) of this section.

(iv) Name change or change of ownership. Each project with a docket or permit issued by the DRBC [or by a Signatory Party Agency pursuant to the One Permit Program rule (section 833.11)]will be charged an administrative fee as set forth in paragraph (e) of this section *if it undergoes a change in name or a "change in ownership" as that term is defined at section 882.1 of this chapter.*

(v) Change of ownership. Each project that undergoes a "change of ownership" as that term is defined at 18 CFR 420.31(e)(2) will be charged an administrative fee as set forth in subdivision (e) of this section.]

\*\*\*\*\*

(e)\*\*\*

Table 1 to § 833.12—Docket Application Filing Fee

Project type	Docket application fee	Fee maximum
Water Allocation	<p>[\$491]511 per million gallons/month of allocation,<sup>1</sup> not to exceed \$[18,420]19,171.<sup>1</sup> Fee is doubled for any portion to be exported from the basin.</p>	<p>Greater of \$[18,420]19,171 or Alternative Review Fee.</p>
Wastewater Discharge	<p>Private projects: \$[1,228]1,278;<sup>1</sup> Public projects: \$[614]639<sup>1</sup>.</p>	<p>Alternative Review Fee.</p>
Other	<p>0.4% of project cost up to \$10,000,000 plus 0.12% of project cost above \$10,000,000 (if applicable), not to exceed \$[92,099]95,854<sup>1</sup>.</p>	<p>Greater of \$[92,099]95,854<sup>1</sup> or Alternative Review Fee.</p>

Table 2 to § 833.12—Annual Monitoring and Coordination Fee

	Annual fee	Allocation
Water Allocation	<p>[\$368]383<sup>1</sup></p>	<4.99 mgm.
	<p>[553]575<sup>1</sup></p>	5.00 to 49.99 mgm.
	<p>[798]831<sup>1</sup></p>	50.00 to 499.99 mgm.
	<p>[1,013]1,054<sup>1</sup></p>	500.00 to 9,999.99 mgm.
	<p>[1,228]1,278<sup>1</sup></p>	> or = to 10,000 mgm.
Wastewater Discharge	<p>Annual fee \$[368]383<sup>1</sup></p>	Discharge design capacity <0.05 mgd.
	<p>[749]780<sup>1</sup></p>	0.05 to 1 mgd.
	<p>[1,007]1,054</p>	1 to 10 mgd.
	<p>[1,228]1,278<sup>1</sup></p>	> 10 mgd.

<sup>1</sup> Subject to annual adjustment in accordance with paragraph (c) of this section.

Table 3 to § 833.12—Additional Fees

Proposed action	Fee	Fee maximum
	*****	
[Name change	\$1,228 <sup>1</sup>	]
Name Change or Change of Ownership	\$1,917 <sup>1</sup>	

<sup>1</sup> Subject to annual adjustment in accordance with paragraph (c) of this section.

Part 838  
PUBLIC ACCESS TO RECORDS AND INFORMATION  
(ARTICLE 8)

(Statutory Authority: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 U.S. Statutes at Large 688; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2)

[Title 21, Chapter XVIII, Sections 838.3–6 are revised as set forth below.]

§ 838.3 Request for existing records.

(a) Any written request to the Commission for existing records not prepared for routine distribution to the public shall be deemed to be a request for records pursuant to the *provisions of this subchapter*[Freedom of Information Act], whether or not the *provisions of this subchapter are*[Freedom of Information Act is] mentioned in the request, and shall be governed by the provisions of this subchapter.

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§ 838.4 Preparation of new records.

The [Freedom of Information Act and the]provisions of this subchapter apply only to existing records that are reasonably described in a request filed with the Commission pursuant to the procedures herein established. The Commission shall not be required to prepare new records in order to respond to a request for information.

§ 838.5 Indexes of certain records.

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(b) A copy of each such index is available at cost of duplication from the *Records Access*[FOIA] Officer.

§ 838.6 *Records Access*[FOIA] Officer.

The Executive Director shall designate a Commission employee as the *Records Access*[FOIA] Officer. The *Records Access*[FOIA] Officer shall be responsible for Commission compliance with the provisions of this subchapter[Freedom of Information Act and these regulations]. All requests for agency records shall be sent[in writing] to the *Records Access Officer in a manner consistent with § 401.108(a)*[:

FOIA Officer  
Delaware River Basin Commission  
P.O. Box 7360  
West Trenton, New Jersey 08628-0360]

[Title 21, Chapter XVIII, Sections 838.8–10 are revised as set forth below.]

§ 838.8 Filing a request for records.

(a) All requests for Commission records shall be *submitted*[filed in writing delivered] to the *Records Access*[FOIA] Officer *on such forms as the Executive Director may prescribe, which shall be available on the Commission's website, https://www.drbc.gov, or by written request*[mailing it] to the Commission[. The Commission will supply forms for written requests], 25 *Cosey Road, West Trenton, NJ 08628*.

(b)\*\*\*

(1) If the description is insufficient to locate the records requested, the *Records Access*[FOIA] Officer will so notify the person making the request and indicate the additional information needed to identify the records requested.

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(c) Upon receipt of a request for records, the *Records Access*[FOIA] Officer shall enter it in a public log (which entry may consist of a copy of the request). The log shall state the date and time received, the name and address of the person making the request, the nature of the records requested, the action taken on the request, the date of the determination letter sent pursuant to section 838.9(b), the date(s) any records are subsequently furnished, the number of staff-hours and grade levels of persons who spent time responding to the request, and the payment requested and received.

(d) A denial of a request for records, in whole or in part, shall be signed by the *Records Access*[FOIA] Officer. The name and title or position of

each person who participated in the denial of a request for records shall be set forth in the letter denying the request. This requirement may be met by attaching a list of such individuals to the letter.

§ 838.9 Time limitations.

(a) All time limitations established pursuant to this section shall begin as of the time at which a request for records is logged in by the *Records Access*[FOIA] Officer pursuant to section 838.8(c). An oral request for records shall not begin any time requirement. A written request for records sent elsewhere within the Commission shall not begin any time requirement until it is redirected to the *Records Access*[FOIA] Officer and is logged in accordance with section 838.8(c). A request that is expected to involve fees in excess of \$50.00 will not be deemed received until the requester is promptly notified and agrees to bear the cost or has so indicated on the *initial*[his] request.

(b) Within 10 working days (excepting Saturdays, Sundays, and legal public holidays) after a request for records is logged by the *Records Access*[FOIA] Officer, the record shall be furnished or a letter shall be sent to the person making the request determining whether, or the extent to which, the Commission will comply with the request, and, if any records are denied, the reasons therefor.

\* \* \* \* \*

(c) If any record is denied, the letter shall state the right of the person requesting such records to appeal any adverse determination to the Executive Director of the Commission. Such an appeal shall be filed within 30 days from receipt of the *Records Access*[FOIA] Officer's determination denying the requested information (where the entire request has been denied), or from the receipt of any information made available pursuant to the request (where the request has been denied in part). Within 20 working days (excepting Saturdays, Sundays, and legal public holidays) after receipt of any appeal, or any authorized extension, the Executive Director or the *Executive Director's*[his] designee shall make a determination and notify the appellant of *such*[his] determination. If the appeal is decided in favor of the appellant the requested information shall be promptly supplied as provided in this part. If on appeal the denial of the request for records is upheld in whole or in part, the appellant shall be entitled to appeal to the Commission at its regular meeting. In the event that the Commission confirms the Executive Director's denial the appellant shall be notified of the provisions for judicial review.

(d) If the request for records will result in a fee of more than \$25, determination letter under paragraph (b) of this section shall specify or estimate the fee involved and may require prepayment, as well as payment of any amount not yet received as a result of any previous request, before the records are made available. If the fee is less than \$25, prepayment shall not be required unless payment has not yet been received for records disclosed as a result of a previous request.

(e) Whenever possible, the determination letter required under paragraph (b) of this section, relating to a request for records that involves a fee of less than \$25.00, shall be accompanied by the requested records. Where this is not possible, the records shall be forwarded as soon as possible thereafter. For requests for records involving a fee of more than \$25.00, the records shall be forwarded as soon as possible after receipt of payment.

§ 401.110 Fees.

(a) \* \* \*

(1) \* \* \*

(i) \* \* \*

(A) Processing [FOIA] requests for records;

\* \* \* \* \*

(c) Payment shall be made by check or money order payable to "Delaware River Basin Commission" and shall be sent to the *Records Access*[FOIA] Officer.

[Title 21, Chapter XVIII, Section 838.15 is amended as set forth below.]

§ 838.15 Discretionary disclosure by the Executive Director.

(a) The Executive Director may[, in his] *exercise* discretion[,] to disclose part or all of any Commission record that is otherwise exempt from disclosure pursuant to this part[. The] *whenever the* Executive Director[ shall exercise his discretion to disclose such records whenever he] determines that such disclosure is in the public interest, will promote the objectives of the Commission, and is consistent with the rights of individuals to privacy, the property rights of persons in trade secrets, and the need for the Commission to promote frank internal policy deliberations and to pursue its regulatory activities without disruption.

(b) Discretionary disclosure of a record pursuant to this section shall invoke the requirement that the record shall be disclosed to any person who requests it pursuant to section 838.8, but shall not set a precedent for discretionary disclosure of any similar or related record and shall not obligate the Executive Director[ to exercise his discretion] to disclose any other record that is exempt from disclosure.

Part 839

GENERAL PROVISIONS (ARTICLE 9)

(Statutory Authority: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 U.S. Statutes at Large 688; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2)

[Title 21, Chapter XVIII, Section 839.1 is amended by the revision of the text as set forth below.]

§ 839.1 Definitions.

\* \* \* \* \*

(e) *Material change* shall mean a change to a project previously approved by the Commission that is important in determining whether the project would substantially impair or conflict with the Commission's comprehensive plan.

(f) Sponsor shall mean any person authorized to initiate, construct or administer a project.

\* \* \* \* \*

Part 883

WATER CHARGES

(Statutory Authority: Delaware River Basin Compact, United States Public Law 87-328, Approved September 27, 1961, 75 U.S. Statutes at Large 688; New York Laws of 1961, Chapter 148, Approved March 17, 1961, § 14.2)

[Title 21, Chapter XVIII, Section 883.1 is amended by the revision of the text as set forth below.]

§ 883.1 Schedule of water charges.

\* \* \* \* \*

(a) \$[98]1.02 per million gallons for consumptive use, subject to paragraph (c) of this section; and

(b) \$[0.98]1.02 per million gallons for non-consumptive use, subject to paragraph (c) of this section.

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## Education Department

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### NOTICE OF EXPIRATION

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

#### Registration and Operation of Central Fill Pharmacies

I.D. No.	Proposed	Expiration Date
EDU-26-23-00015-P	June 28, 2023	June 27, 2024

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## Department of Environmental Conservation

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### EMERGENCY RULE MAKING

#### Regulations Governing the Recreational Fishing of Scup and Summer Flounder

**I.D. No.** ENV-16-24-00003-E  
**Filing No.** 590  
**Filing Date:** 2024-06-27  
**Effective Date:** 2024-06-27

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

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

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

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

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

The Department of Environmental Conservation (department) is adopting these changes in order to protect the general welfare of New York state citizens by complying with the ASMFC. If ASMFC determines that New York is non-compliant, it notifies the U.S. Secretary of Commerce. The Secretary could then enforce a complete closure of New York’s Scup and Summer Flounder fisheries if they concur with the non-compliance determination.

The management measures specified in this Notice of Emergency Adoption are already in effect. The department originally submitted a Notice of Emergency Adoption and Proposed Rule Making to the Department of State on April 2, 2024, and the new regulations became effective that day. The public comment period for this rule ends on June 17, 2024. In order to be promulgated on time, the Notice of Adoption would have had to be filed on June 11, 2024, to allow 15 days to be published in the State Register before the original emergency adoption expired. Since the public comment period ends after this date, it is not possible to file the Notice of Adoption prior to the emergency rule’s expiration on June 30, 2024. This amendment is necessary for the State to maintain the current regulations and remain in compliance with ASMFC until a Notice of Adoption, already in progress, can be published and adopted.

**Subject:** Regulations governing the recreational fishing of scup and summer flounder.

**Purpose:** To revise regulations concerning the recreational harvest of scup and summer flounder in New York State.

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

Table A in existing subdivision 40.1(f) is amended to read as follows:

Species Striped Bass through Atlantic Cod remain unchanged.

Species Summer Flounder and Scup are amended to read as follows:

40.1(f) Table A – Recreational Fishing.

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

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. ENV-16-24-00003-EP, Issue of April 17, 2024. The emergency rule will expire August 25, 2024.

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

**Regulatory Impact Statement**

1. Statutory authority:

The New York State Environmental Conservation Law (ECL) § 13-

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

2. Legislative objectives:

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

3. Needs and benefits:

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

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

4. Costs:

There are no new costs to State and local governments from this action. The department will incur limited costs associated with both the implementation and administration of these rules, including the costs relating to notifying recreational fishers, party and charter boat operators, and other recreational fishing associated businesses of the new rules.

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

5. Local government mandates:

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

6. Paperwork:

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

7. Duplication:

The amendment does not duplicate any State or federal requirement.

8. Alternatives:

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

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

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

9. Federal standards:

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

10. Compliance schedule:

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

**Regulatory Flexibility Analysis**

1. Effect of rule:

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

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

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

2. Compliance requirements:

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

3. Professional services:

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

4. Compliance costs:

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

5. Economic and technological feasibility:

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

6. Minimizing adverse impact:

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

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

7. Small business and local government participation:

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

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

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

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

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

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

**Rural Area Flexibility Analysis**

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

**Job Impact Statement**

The current 6 NYCRR section 40.1 describes open seasons, size, and catch limits for "marine fish." The proposed rulemaking amends 6 NYCRR section 40.1 to modify recreational harvest restrictions for Scup and Summer Flounder. These amendments will change the size limit, season, and possession limit for Summer Flounder, and for Scup will change the size limit. These proposed rules will apply solely to recreational anglers. A Job Impact Statement is not submitted with this proposal because the proposal would have no substantial adverse impact on existing or future jobs or employment opportunities.

**Assessment of Public Comment**

The agency received no public comment.

**PROPOSED RULE MAKING  
HEARING(S) SCHEDULED**

**Criteria for the Decommissioning of Radioactive Material Licensed Sites**

**I.D. No.** ENV-29-24-00006-P

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

**Proposed Action:** Addition of Part 384 to Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, sections 3-0301(1)(i), (2)(a), (m), 17-0101, 17-0301, 17-0303, 19-0301, 27-0501, 27-0703, 27-1313, 27-1315 and 71-3601

**Subject:** Criteria for the decommissioning of radioactive material licensed sites.

**Purpose:** Ensure DEC's regulations are equivalent to and compatible with regulations of the Nuclear Regulatory Commission.

**Public hearing(s) will be held at:** 2:00 p.m., Sept. 17, 2024 at Virtual via Webex; 6:00 p.m., Sept. 17, 2024 at Virtual via Webex.

Instructions on how to "join" the hearing webinar and provide an oral statement will be published on the Department's proposed regulations webpage for 6 NYCRR Part 384 by July 17, 2024. The proposed regulations webpage for 6 NYCRR Part 384 may be accessed at: <https://www.dec.ny.gov/regulations/propregulations.html>

Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 384 public comment hearing.

Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received by September 4, 2024, but DEC will make every effort to fulfill requests received closer to the hearing date. Requests can be

directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), or by e-mail (language@dec.ny.gov).

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

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

**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 New York State Department of Environmental Conservation (DEC) is proposing to add Criteria for Decommissioning of Radioactive Material Licensed Sites to the New York Codes, Rules and Regulations. The express terms for this rulemaking will be included by adding a new Part 384 to Title 6, Criteria for Decommissioning of Radioactive Material Licensed Sites and are summarized below.

Section 384.1 includes the purpose of the regulations which is to establish criteria for the decommissioning of radioactive material licensed sites.

Section 384.2 includes the applicability and exemptions of the proposed regulations.

Section 384.3 includes definitions as specified in 6 NYCRR Part 380-2.1 for the terms “as low as reasonably achievable (ALARA),” “background radiation,” “Radiation,” “Radioactive Material,” “Radioactivity,” “Release,” “Survey,” and “Total effective dose equivalent (TEDE).” It also includes definitions specific to this Part for the terms “Action level,” “Critical group,” “Decommission,” “Derived concentration guideline level (DCGL),” “Distinguishable from background,” “Durable institutional control,” “Engineering control,” “Final radiation status survey,” “Institutional control,” “Radioactive material license,” “Licensed decontamination & decommissioning (D&D) contractor,” “Licensee,” “New York State Department of Health (NYSDOH),” “New York City Department of Health and Mental Hygiene (NYC DOHMH),” “Residual radioactivity,” “Restricted use,” “Site,” “Site release,” and “Unrestricted use.”

Section 384.4 includes criteria which must be met for DEC to make a determination that a site is acceptable for unrestricted use, including that the remaining residual radioactivity will not exceed 25 millirems per year or .25 microsieverts per year, the residual reactivity will be reduced to levels that are as low as reasonably achievable, and no more than 4 millirems of the total annual dose may come from groundwater or surface water sources.

Section 384.5 includes criteria for restricted use. This section sets standards and protocols where the unrestricted use criteria have been determined to be infeasible, including provisions for institutional controls, engineering controls, financial assurance, and public notification.

Section 384.6 includes the requirements for a decommissioning plan. These requirements include use of a licensed D&D contractor, submittal of the decommissioning plan to DEC for approval, components of the decommissioning plan such as schedule, facility conditions, description of planned decommissioning activities, description of methods, description of planned final radiation status survey, protection of the public and environment during decommissioning, cost estimate, minimization of impacts, and decommissioning criteria in the form of DCGLs.

Section 384.7 includes requirements for public notice and comment upon completion of a decommissioning plan which include 1) a notice by DEC to the municipality in which the site is located, 2) publication of a notice by DEC in the environmental notice bulletin, 3) publication of notice by the licensee in a newspaper of general circulation in the community where the site is located, and 4) other notices which may be required by DEC.

Section 384.8 includes the requirements of DEC to provide to the licensee its decision approving or disapproving of the decommissioning plan, and to issue a responsiveness summary to comments received.

Section 384.9 includes requirements for a Final Decommissioning Report, including but not limited to a description of activities, a survey of site boundaries, documentation showing proper disposal of waste, results of final radiation surveys, demonstration that restricted or unrestricted criteria have been met as approved in the decommissioning plan, demonstration of any required institutional or engineering controls, and demonstration of any required financial assurance and required certifications by a licensed D&D contractor.

Section 384.10 includes the requirement for DEC to issue an approval letter to the licensee of a site upon approval of the final decommission report, and the required contents of such approval letter. This section also includes the requirement of DEC to publish a notice of the availability of the final decommission report, as well as a provision regarding DEC’s ability to modify or revoke approval based on certain findings.

Section 384.11 includes the requirements for a variance application for Part 384.

Section 384.12 includes a severability clause for Part 384.

Section 384.13 includes materials incorporated by reference.

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

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

**Public comment will be received until:** September 24, 2024.

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

**Summary of Regulatory Impact Statement (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations#public>):** 6 NYCRR Part 384, Criteria for Decommissioning of Radioactive Material Licensed Sites

The New York State Department of Environmental Conservation (DEC) is proposing to adopt 6 NYCRR Part 384 to establish criteria for the decommissioning of radioactive material licensed sites.

DEC’s statutory authority to adopt Part 384 is found in Environmental Conservation Law sections 3-0301(1)(i), 3-0301(2)(a) and (m), 17-0101, 17-0301, 17-0303, 19-0301, 27-0501, 27-0703, 27-1313, 27-1315, and 71-3601.

The Atomic Energy Act of 1954 (AEA) created the federal program for controlling the use of most radioactive materials and for limiting public exposure to radiation resulting from that use. In 1960, the AEA was amended to allow states to enter into agreements with the Federal Nuclear Regulatory Commission (NRC) whereby the NRC relinquishes its authority to license most uses of radioactive materials to the state. Before an agreement can be signed, the state must certify that it has a program for the control of radiation hazards adequate to protect public health and safety. In 1962, New York State became an Agreement State. The NRC periodically reviews the radiation control programs of Agreement States to determine whether the programs continue to be adequate to protect the public and whether the state regulations are compatible with the standards set by the NRC. The NRC conducted its most recent review of the New York State program in July 2022 and found the program was incompatible with NRC requirements in part due to the lack of adopting certain portions of federal rules. This proposed rulemaking will ensure that state regulations are compatible with federal regulations.

In 1997, the NRC adopted a new subpart, Subpart E, in 10 CFR 20 (referred to as the “License Termination Rule”) that set criteria for decommissioning of facilities and sites contaminated with radioactive material. DEC proposes to adopt a new regulation, 6 NYCRR Part 384, to set criteria for decommissioning of radioactive material licensed sites which are at least as stringent as the License Termination Rule. The criteria would be defined in terms of the maximum allowed radiation dose for a member of the public due to residual concentrations of radioactive material in soil and groundwater following decommissioning.

The proposed rule would also require that post-decommissioning concentrations of radioactive material be reduced to levels that are as low as reasonably achievable (ALARA). In effect, all decommissions would be required to meet criteria, or such lower radiation levels as are reasonably achievable, whichever results in lower residual levels. The proposed rule also addresses land use restrictions and the conditions under which they can be relied upon; requires financial assurance for maintaining institutional controls at sites where land use must be restricted; and sets limits on the use of different decommissioning standards for surface and subsurface soils.

This proposed rule is needed to protect the public and the environment from exposure to radiation due to radioactive contamination. In addition, it is needed to fulfill the New York’s obligations an Agreement State and maintain continued compatibility with the NRC regulations.

The primary benefit of adopting Part 384 is that it will provide a consistent, legally enforceable set of criteria for decommissioning of radioactive material licensed sites. Currently, DEC only has a policy DER-38, Cleanup Guidelines for Soils Contaminated with Radioactive Materials, April 30, 2013, that addresses the remediation of soils contaminated with radioactive materials. This proposed rulemaking will establish regulatory criteria for the decommissioning of radioactive material licensed sites. Additionally, because current criteria are only in the form of guidance, they are not considered as Applicable, Relevant, and Appropriate Requirements (ARAR) at federal sites; therefore, federal agencies are not obligated to take them into account. With decommissioning criteria established in regulation, DEC will be in a better position to advocate for thorough decommissioning of sites consistent with State standards by the federal government.

A second benefit of adopting proposed Part 384 is that it will help fulfill the State's commitments under its agreement with the NRC. The NRC required Agreement States to adopt regulations compatible with the License Termination Rule by 2000. Thus, DEC needs to adopt the proposed regulations to maintain New York's status as an Agreement State. Maintaining Agreement State status provides the benefit of State control over the use of most radioactive material in the State. If DEC does not adopt the proposed regulations, the State could lose its authority to regulate the use and possession of most radioactive material in the State and the NRC would assume such regulatory authority.

There are approximately thirty (30) facilities that are regulated by DEC under 6 NYCRR Part 380 (Prevention and Control of Environmental Pollution by Radioactive Materials) that could, at some point, fall under the regulatory jurisdiction of Part 384 during facility decommissioning activities. In addition, there are approximately eighty (80) New York State Department of Health (NYSDOH) licensees and twenty-seven (27) New York City Department of Health and Mental Hygiene (NYC DHMH) licensees that may have to comply with these regulations during decommissioning. The proposed Part 384 requirements would apply to any site where decommissioning is being conducted under the oversight of DEC. Part 384 would apply to a site regardless of whether it is regulated under the licensing authority of NYSDOH or NYC DHMH.

During the promulgation of its regulations regarding Radiological Criteria for License Termination, the NRC prepared a Generic Environmental Impact Statement (GEIS). The GEIS summarized expected costs for licensees, associated with cleaning, removal, and disposal of contaminated concrete and soil, and the performance of radiological surveys needed to demonstrate that the target residual criterion has been achieved.

Costs to individual licensees can vary greatly depending on the type of facility. Expected costs for most licensees are expected to be modest. In the GEIS, small facilities which required minimal soil removal were estimated to cost less than \$100,000 (1997 dollars) while a larger facility with greater amounts of soil removal required may cost tens of millions of dollars or more. This estimate is given in 1997 dollars due to the fact that this is when the GEIS for the federal rule was completed. It is not reasonable to assume that current estimates follow general inflation rates since the greatest costs for this work, namely transportation and disposal, have risen at a higher rate than inflation during that time. In New York, most licensed facilities are small and little to no soil removal would be anticipated; however, it is possible that a small number of facilities may incur costs closer to the upper end of the cost range.

This rule will not regulate federal cleanups taking place at CERCLA or FUSRAP sites within the State but will be considered an ARAR which will have to be addressed during the remediation of these sites. There are currently five active FUSRAP sites in the State, two in the New York City area and three in the Buffalo area.

For entities responsible for decommissioning sites, there will be little or no increase in costs. DEC proposes to adopt a dose limit that is comparable to the dose guideline in DER-38. In addition, both the dose guideline in DER-38 and the dose limit in the proposed rule require that residual radioactive material following decommissioning be considered ALARA, so actual cleanup levels and costs are not likely to change. There may be an increase in costs to the federal government because if the rule is followed at FUSRAP sites, it may eliminate the federal government's current practice of using higher, less protective cleanup standards in soils below the top six inches.

Costs to DEC include the expending of resources and staff time to implement this rule, to draft guidelines and explanatory documents that will be distributed to regulated entities, and training DEC staff in the implementation of the new regulations. This will require at least two years of DEC staff effort. After the initial preparation and training period, the routine implementation of Part 384 will not be significantly greater than the time currently spent implementing DEC's DER-38.

In addition to the cost to DEC, DOH will expend some staff time becoming familiar with DEC's regulations. This may require one or two weeks of staff time for that agency.

Local municipalities will have no costs due to this rule unless they are undertaking the decommissioning.

Two agencies other than DEC have the authority to license the possession and use of radioactive materials - NYSDOH and NYC DHMH. It is only when that material is disposed of or released to the environment that it comes under the jurisdiction of DEC. Thus, there is no overlap between the regulatory programs of the licensing agencies and that of DEC.

DEC has worked closely with NYSDOH and NYC DHMH to coordinate the provisions in our regulations. Both agencies will include in their versions of the License Termination Rule a provision that before a license will be terminated under their regulations, the licensees must obtain from DEC written confirmation that either Part 384 does not apply, or that they have complied with Part 384. Thus, a license will not be terminated until the licensee has decommissioned to meet the criteria in Part 384.

Both NYSDOH and NYC DHMH must adopt a rule compatible with the NRC's License Termination Rule, which would apply to the interior of buildings. This will not create any additional regulatory burdens for the parties subject to those regulations.

DEC, NYSDOH and NYC DHMH must each promulgate regulations that are adequate to protect the public health and safety and are compatible with 10 CFR Part 20. The potential for duplication is thus reduced because all the regulations must be consistent with those of the NRC.

Because Part 384 must be compatible with the NRC regulations at 10 CFR Part 20, many sections in proposed Part 384 are identical, or very similar, to the federal rules. However, Part 384 would not apply to the same entities and activities that NRC regulations apply to so there is no duplication of effort with respect to federal regulations. Under the Agreement State program, the NRC relinquishes to the State its authority to regulate those radioactive materials covered by the Agreement.

The groundwater provision in proposed Part 384 is not in the License Termination Rule but is consistent with United States Environmental Protection Agency's (EPA) and NYSDOH requirements. The limit of radiation dose from the groundwater pathway to no more than 4 mrem/yr (40  $\mu$ Sv/yr), is consistent with the EPA federal drinking water standard and the DOH's drinking water standard (10 NYCRR 5-1.52, Table 7). The 1997 GEIS stated that EPA indicated that a separate groundwater standard is appropriate to protect groundwater.

A no action alternative was considered but rejected for reasons described in the RIS. This proposed rule exceeds the federal standards established in the NRC's License Termination Rule in that it includes a separate dose limit for the groundwater pathway. EPA recommended that the NRC adopt a 4 mrem/yr dose limit for the drinking water pathway, but the NRC declined to do so. DEC has chosen to adopt the 4 mrem/yr for sites released for unrestricted use. NYSDOH has adopted the 4 mrem/yr dose limit for drinking water in its regulations.

These regulations will become effective 30 days after publication of the Notice of Adoption in the State Register and will be applicable to regulated facilities except those that have performed decommissioning prior to the effective date of these regulations or those entities that have received written approval of their decommissioning plan or criteria from DEC prior to the effective date.

DEC will conduct an initial review of the rule within 3 years as required by SAPA § 207.

### **Regulatory Flexibility Analysis**

#### **1. EFFECT OF RULE**

There are approximately thirty (30) facilities that are permitted by New York State Department of Environmental Conservation (DEC) under 6 NYCRR Part 380 (Prevention and Control of Environmental Pollution by Radioactive Materials) that could at some point, fall under the regulatory jurisdiction of 6 NYCRR Part 384 (Part 384) during facility decommissioning activities. In addition, there are approximately eighty (80) New York State Department of Health (NYSDOH) licensees and twenty-seven (27) New York City Department of Health and Mental Hygiene (NYCDHMH) licensees that may have to comply with these regulations during decommissioning. The Part 384 requirements will apply to any licensee or permittee undergoing decommissioning that has contaminated the environment at their facility.

The proposed regulation does not place any requirements directly on local governments, unless local governments own or are responsible for decommissioning of sites contaminated with radioactive materials. In that case they will also have to comply with these regulations. There are no, known facilities expected to be subject to this rule which are the responsibility of local governments or small businesses.

It should be noted, however, that DEC does not expect that many of these facilities will need to comply with these requirements since it is anticipated that the majority of these facilities will be following all of the requirements of their respective permits or licenses and will not contaminate the environment at their facility. Regular inspections performed by NYSDOH and DEC ensure that no major, widespread building and environmental contamination occurs.

It is not anticipated that many of the parties described above would meet the definition of small business with fewer than 100 employees. Entities with 6 NYCRR Part 380 permits are not known to meet the definition of a small business. These facilities are primarily owned by large corporate entities such as hospitals, universities, and health care organizations with multiple offices. Similarly, the permittees who conduct manufacturing do not meet the definition of a small business. This is also expected to be the case for facilities with radioactive materials licenses that do not require Part 380 permits.

#### **2. COMPLIANCE REQUIREMENTS**

Regulated entities must ensure that facility decommissioning is in accordance with the standards and criteria set forth in the regulation. There are no application forms associated with this proposed rule. This rule will require any regulated entity to prepare a site decommissioning plan which

will include site characterization data. A regulated facility may also be required to submit to DEC proof of financial assurance which is acceptable to DEC and meets the requirements of Part 384. A regulated facility must also provide DEC with copies of all documents associated with its public participation process including copies of its summary of the results of all public participation events.

### 3. PROFESSIONAL SERVICES

Any regulated entity whose site must meet the cleanup criteria established in these regulations will likely have to secure the services of professional engineers, health physics experts, and other professionals familiar with site remediation. The regulated entity may have to secure the services of consultants to prepare the site decommissioning plan and a public participation program.

### 4. COMPLIANCE COSTS

As described in Section 1, there are no known entities which meet the definition of small business or local governments which would be subject to this rule. In the rare instance where facility operators responsible for decommissioning are small businesses or local governments, there will be little or no increase in costs. DEC would be adopting a dose limit that is comparable to the dose guideline in DER-38. In addition, both the dose guideline and the proposed rule require that residual radioactive materials following decommissioning be considered as low as reasonably achievable (ALARA), so actual decommissioning criteria and costs are not likely to change.

### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY

Implementation of these regulations will be economically and technologically feasible for small businesses and local governments. The technology for site decommissioning already exists and has been proven to be feasible. The proposed regulations are designed to be performance-based rather than prescriptive which will allow for new emerging technologies (which may be more efficient and less expensive) to be utilized to accomplish the cleanup goals.

### 6. MINIMIZING ADVERSE IMPACT

These regulations are not expected to generate any adverse impact to the regulated parties they may apply to. As stated previously, there will be little or no increase in costs for those entities responsible for decommissioning and required paperwork preparation will be minimal. Since it is expected that most regulated entities will comply with their existing permits or licenses and will not contaminate the environment, these regulations will only apply to those parties that contaminate their facilities and sites.

### 7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

As an effort of preliminary public outreach, on October 19, 2022, a public stakeholder information regarding the amendments being considered was conducted virtually. Public comment was solicited to obtain input prior to the development of the express terms. Since there are no known entities considered to be small businesses or local governments which will be directly subject to this rule, outreach was made to the public at large rather than specific to these entities.

Once Part 384 has been proposed for public comment, DEC plans to hold public meetings to provide information about the proposed rulemaking and address questions/concerns. Subsequently, required public hearings will be held prior to the end of the public comment period. Information about the rule making would also be posted on DEC's website and in the Environmental Notice Bulletin, which is published weekly on Wednesdays.

### 8. CURE PERIOD OR OTHER OPPORTUNITY FOR AMELIORATIVE ACTION

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

### 9. INITIAL REVIEW OF THE RULE, PURSUANT TO SAPA § 207 AS AMENDED BY L. 2012, ch. 462

DEC will conduct an initial review of the rule within three years as required by SAPA § 207.

### *Rural Area Flexibility Analysis*

#### 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS

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

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

The regulated facility must ensure that decommissioning is in accordance with the standards and criteria set forth in the regulation. There are no application forms associated with this proposed rule. This rule will require the regulated party to prepare a site decommissioning plan which will include site characterization data. The regulated facility may also be required to submit to the Department of Environmental Conservation (DEC) proof of financial assurance which is acceptable to DEC and meets the requirements of Part 384. The regulated party must also provide DEC with copies of all documents associated with its public participation process including copies of its summary of the results of all public participation efforts.

Any regulated facility whose site must meet the cleanup criteria established in these regulations will likely have to secure the services of professional engineers, health physics experts, and other professionals familiar with site decommissioning. The regulated facility may have to secure the services of consultants to prepare the site decommissioning plan and a public participation program.

### 3. COSTS

For those facilities responsible for decommissioning sites (including local municipalities), there will be little or no increase in costs. DEC is proposing to adopt a dose limit that is comparable to the dose guideline in DER -38, Cleanup Criteria for Soils Contaminated with Radioactive Materials, April 30, 2013. In addition, both the dose guideline and the proposed rule require that residual radioactive materials following cleanup be considered as low as reasonably achievable (ALARA), so actual cleanup levels and costs are not likely to change.

### 4. MINIMIZING ADVERSE IMPACT

These regulations are not expected to generate any adverse impact to any of the regulated entities they may apply to. As stated previously, there will be little or no increase in costs for those entities responsible for decommissioning and required paperwork preparation will be minimal. Since it is expected that the large majority of regulated facilities will comply with their existing permits or licenses and will not contaminate the environment, these regulations will only apply to those that contaminate their facilities and sites. Any minor impacts resulting from the implementation of these regulations will affect both urban and rural areas equally.

### 5. RURAL AREA PARTICIPATION

Once 6 NYCRR Part 384 has been proposed for public comment, DEC plans to hold public meetings to provide information about the proposed rulemaking and address questions and concerns. Subsequently, required public hearings will be held prior to the end of the public comment period. Information about the rule making will also be posted on DEC's website and in the Environmental Notice Bulletin, which is published weekly on Wednesdays.

### 6. INITIAL REVIEW OF THE RULE, PURSUANT TO SAPA § 207

DEC will conduct an initial review of the rule within three years as required by SAPA § 207.

### *Job Impact Statement*

#### 1. NATURE OF IMPACT

This rulemaking is not expected to have any adverse impact on jobs or employment opportunities in the State. The rulemaking will more likely have a positive impact by creating jobs in localities where sites are being decommissioned.

#### 2. CATEGORIES AND NUMBERS OF JOBS OR EMPLOYMENT OPPORTUNITIES AFFECTED

Compliance with this rulemaking will create job opportunities in professional fields such as engineering, health physics, consultant services and public participation. These professions are integral to the execution of remediation. For example, engineers and health physics consultants design the remediation plans.

Compliance will also create employment opportunities including but not limited to, truck drivers, heavy equipment operators, and laborers. Equipment operators excavate the contamination, and truck drivers deliver the materials to the disposal facility.

It is expected that many of these jobs will be filled by local workers which will in turn stimulate business with local firms near the sites being remediated.

#### 3. REGIONS OF ADVERSE IMPACT

It is not expected that compliance with this rulemaking will have any adverse impact on jobs in any area of the State.

#### 4. MINIMIZING ADVERSE IMPACT

It is not expected that compliance with this rulemaking will have any adverse impact on jobs in any area of the State.

#### 5. SELF-EMPLOYMENT OPPORTUNITIES

Compliance with this rulemaking by site owners will not have any negative effect on self-employment opportunities.



6. INITIAL REVIEW OF THE RULE, PURSUANT TO SAPA § 207 AS AMENDED BY L. 2012, CH. 462  
 DEC will conduct an initial review of the rule within three years as required by SAPA § 207.

## Commission on Ethics and Lobbying in Government

### NOTICE OF ADOPTION

**Responsible Party Obligations**

**I.D. No.** ELG-15-24-00008-A  
**Filing No.** 588  
**Filing Date:** 2024-06-27  
**Effective Date:** 2024-12-01

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

**Action taken:** Amendment of Part 943 of Title 19 NYCRR.  
**Statutory authority:** Executive Law, section 94(1)(a) and (5)(a)(i)  
**Subject:** Responsible Party Obligations.

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

**Text or summary was published** in the April 10, 2024 issue of the Register, I.D. No. ELG-15-24-00008-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany NY 12207, (518) 408-3976

**Revised Regulatory Impact Statement**

1. Statutory Authority: Executive Law § 94(1)(a) provides the Commission on Ethics and Lobbying in Government (“Commission”) with the responsibility to administer, enforce and interpret New York State’s ethics and lobbying laws. Subsection 94(5)(a)(i) authorizes the Commission to adopt, amend and rescind any rules and regulations pertaining to the statutes within its jurisdiction.

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

3. Needs and Benefits: This Proposed Rule amends 19 NYCRR Part 943 to clarify who is responsible for the submission, completeness, and truthfulness of lobbying filings when the Lobbyist or Client is a person or organization. For organizations, the proposed amendments clarify that the Responsible Party must have legal authority to bind the Lobbyist or Client. If the Lobbyist or Client is a person, the Responsible Party is such person. Additionally, the proposed amendments make clear that the Responsible Party is not an individual whose sole responsibility or authority is to prepare lobbying filings for the Lobbyist or Client.

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

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

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

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

6. Paperwork: This regulation does not require the preparation of additional forms or paperwork.

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

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

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

10. Compliance Schedule: The Proposed Rulemaking will take effect upon December 1, 2024.

**Assessment of Public Comment**

The agency received no public comment.

**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.

### NOTICE OF ADOPTION

**Ethics Training for Lobbyists and Clients**

**I.D. No.** ELG-15-24-00009-A  
**Filing No.** 589  
**Filing Date:** 2024-06-27  
**Effective Date:** 2025-01-01

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

**Action taken:** Amendment of Part 943 of Title 19 NYCRR.  
**Statutory authority:** Executive Law, sections 94(1)(a), (5)(a)(i), (8)(d); Legislative Law, sections 1-A and 1-d(h)  
**Subject:** Ethics Training for Lobbyists and Clients.

**Purpose:** To require the responsible party to enter training compliance information to the Commission on behalf of themselves, their organization and/or their organization’s Individual Lobbyists and other clarifying amendments.

**Text or summary was published** in the April 10, 2024 issue of the Register, I.D. No. ELG-15-24-00009-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany NY 12207, (518) 408-3976

**Initial Review of Rule**

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

**Assessment of Public Comment**

The agency received no public comment.

### NOTICE OF ADOPTION

**Late Fees for Lobbying Filings**

**I.D. No.** ELG-15-24-00010-A  
**Filing No.** 587  
**Filing Date:** 2024-06-27  
**Effective Date:** 2025-01-01

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

**Action taken:** Amendment of Part 943 of Title 19 NYCRR.  
**Statutory authority:** Executive Law, section 94(5)(a)(i); Legislative Law Art. sections 1-A, 1-e, 1-h, 1-i, 1-j and 1-l  
**Subject:** Late Fees for Lobbying Filings.

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

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

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

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

<i>DAYS LATE</i>	<i>ACTION</i>	
181 days and more	\$1,000 flat late fee	\$2,000 flat late fee

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

Subdivision (k)(2) of section 943.10 is amended to read as follows:  
 Failure to make such amendments are subject to the imposition of late fees as set forth in section 943.15 [subsection 943.10(g)].

Subdivision (d) of section 943.11 is amended to read as follows:  
 (d) Any Bi-Monthly Report that is not timely filed will be subject to the late fee schedule set forth in section 943.15. [below:

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

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

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

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

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

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

New Section 943.15 is added to read as follows:  
 943.15 Late Filings.

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

(b) Any Statement of Registration, Registration Amendment, Bi-Monthly Report, Client Semi-Annual Report, or Disbursement of Public Monies Report that is not timely filed will be subject to the late fee schedule set forth below:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) An affidavit providing:

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

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

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

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

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

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

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

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

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

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

(f) Technical Failure Causing Late Filing

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

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

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

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

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

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

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

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

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

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

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

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

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

or

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

(g) Late Fees and Penalties.

(1) Failure to file a Statement of Registration, Registration Amendment, Bi-Monthly Report, Client Semi-Annual Report, or Disbursement of Public Monies Report in a timely manner, as required by this Title, may also subject the Lobbyist or Client to civil penalties as prescribed in section 1-0(b)(i) of the Lobbying Act.

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

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 943.15(a).

**Revised rule making(s) were previously published in the State Register on April 10, 2024.**

**Text of rule and any required statements and analyses may be obtained from:** Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany NY 12207, (518) 408-3976

**Revised Regulatory Impact Statement**

1. Statutory Authority: Executive Law § 94(1)(a) provides the Commission on Ethics and Lobbying in Government ("Commission") with the responsibility to administer, enforce and interpret New York State's ethics and lobbying laws. Subsection 94(5)(a)(i) authorizes the Commission to adopt, amend and rescind any rules and regulations pertaining to the statutes within its jurisdiction. Legislative Law Article 1-A Sections 1-e, 1-h, 1-i, 1-j and 1-l authorizes the Commission to impose a fee for the late filing of a Statement of Registration, Registration Amendment, Bi-Monthly Report, Client Semi-Annual Report, and Disbursement of Public Monies Report.

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

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

4. Costs:

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

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

c. Cost information is based on the fact that there will be minimal costs to regulated parties and state and local government for training staff on

changes to the requirements. The cost to the agency is based on the estimated slight increase in staff resources to implement the regulations.

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

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

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

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

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

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

**Revised Regulatory Flexibility Analysis**

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

**Revised Rural Area Flexibility Analysis**

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

**Revised Job Impact Statement**

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

**Initial Review of Rule**

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

**Assessment of Public Comment**

The agency received no public comment.

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## Department of Financial Services

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### NOTICE OF ADOPTION

**Credit For Reinsurance**

**I.D. No.** DFS-17-24-00001-A

**Filing No.** 591

**Filing Date:** 2024-07-02

**Effective Date:** 2024-07-17

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

**Action taken:** Amendment of Part 125 (Regulation 17, 20 and 20-A) of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 1301(a)(9), (c), 1308 and 4525(b)

**Subject:** Credit For Reinsurance.

**Purpose:** To prescribe the collateral requirements for reinsurance reserve credit.

**Text or summary was published** in the April 24, 2024 issue of the Register, I.D. No. DFS-17-24-00001-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Amanda Fenwick, Department of Financial Services, One Commerce Plaza, Albany, New York 12257, (518) 474-7929, email: Amanda.Fenwick@dfs.ny.gov

**Initial Review of Rule**

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

**Assessment of Public Comment**

The agency received no public comment.

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

**Principle-Based Reserving**

**I.D. No.** DFS-29-24-00007-P

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

**Proposed Action:** This is a consensus rule making to amend Part 103 of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 4217 and 4517

**Subject:** Principle-Based Reserving.

**Purpose:** To adopt the 2024 Valuation Manual.

**Text of proposed rule:** Footnote <sup>1</sup>to section 103.3(b) is amended as follows:

<sup>1</sup>The [2023] 2024 Valuation Manual, published by the National Association of Insurance Commissioners, is hereby incorporated by reference in this Part. The [2023] 2024 Valuation Manual is readily available without charge at the following internet address: [https://www.naic.org/pbr\\_data.htm](https://www.naic.org/pbr_data.htm). The [2023] 2024 Valuation Manual is also available for public inspection and copying at the New York State Department of Financial Services, One State Street, New York, NY 10004.

**Text of proposed rule and any required statements and analyses may be obtained from:** Amanda Fenwick, Department of Financial Services, One Commerce Plaza, Albany, New York 12257, (518) 474-7929, email: [Amanda.Fenwick@dfs.ny.gov](mailto:Amanda.Fenwick@dfs.ny.gov)

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

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

**Consensus Rule Making Determination**

No person is likely to object to this amendment, which adopts the most recent (2024) edition of the Valuation Manual published by the National Association of Insurance Commissioners (“NAIC”), replacing the rule’s current reference to the 2023 Valuation Manual.

Insurance Law Section 4217 sets forth rules for the valuation of insurance policies and contracts and Insurance Law Section 4217(g) requires principle-based reserving (“PBR”) for certain individual and group life insurance policies and annuity contracts. The minimum standard for the valuation of all such policies and contracts is the standard prescribed in the NAIC’s Valuation Manual as adopted by the Superintendent of Financial Services by regulation.

PBR is also an NAIC accreditation standard. Thus, this amendment is necessary for the Department of Financial Services (“Department”) to maintain its accreditation status with the NAIC.

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

**Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State. Insurance Law Section 4217(g) requires principle-based reserving (“PBR”) for certain individual and group life insurance policies and annuity contracts. The minimum standard for the valuation of all such policies and contracts must be the standard prescribed in the National Association of Insurance Commissioners (“NAIC”) valuation manual (“Manual”) as adopted by the Superintendent of Financial Services by regulation. PBR is also an NAIC accreditation standard. This amendment to the regulation adopts the NAIC’s 2024 edition of the Manual, which also ensures continued compliance with the NAIC’s accreditation standards.

## Long Island Power Authority

**PROPOSED RULE MAKING  
HEARING(S) SCHEDULED**

**IEDR Limitation of Liability**

**I.D. No.** LPA-29-24-00003-P

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

**Proposed Action:** LIPA proposes to modify its Tariff for Electric Service, effective October 1, 2024, to eliminate liability for any improper access or sharing of customer data after the transfer to the IEDR platform consistent with the order issued by the NYS PSC in 2023.

**Statutory authority:** Public Authorities Law, section 1020-f

**Subject:** IEDR Limitation of Liability.

**Purpose:** LIPA proposes to modify the Tariff to limit liability consistent with tariff amendments filed by the Joint Utilities.

**Substance of proposed rule:** Long Island Power Authority (“LIPA” or the “Authority”) staff (“Staff”) proposes to modify LIPA’s Tariff for Electric Service (the “Tariff”), effective October 1, 2024, to eliminate Authority liability for any improper access or sharing of customer data after the Authority transfers such data to the Integrated Energy Data Resource (“IEDR”) platform consistent with tariff amendments filed by the Joint Utilities<sup>1</sup> as ordered by the New York State Public Service Commission (the “Commission”) in its Order Addressing Integrated Energy Data Resource Matters issued on October 13, 2023.<sup>2</sup>

The IEDR is an online centralized platform that would “accelerate efficient and expanded useful access to useful energy data, for all types of users.”<sup>3</sup> “Highly confidential personal information,” which is defined by the Commission as “[h]ighly sensitive information specific to an individual that could be used to identify the individual, such as social security number, banking information, or driver’s license,” will not be transferred to the IEDR platform.<sup>4</sup>

While LIPA is not subject to the Commission’s jurisdiction, LIPA may voluntarily agree to follow the Commission’s IEDR Matters Order to transfer such information to the IEDR Administrator without customer consent. Consistent with the Commission’s orders referenced above, LIPA would consider such a transfer of data to be between data custodians.

The LIPA Board may adopt, reject, or modify, in whole or in part, the action proposed, the commenters’ proposed programmatic changes, including recommendation(s) submitted by the New York State Department of Public Service, and may resolve related matters.

<sup>1</sup> The Joint Utilities are: Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., KeySpan Gas East Corporation d/b/a National Grid, Liberty Utilities (St. Lawrence Gas) Corporation, National Fuel Gas Distribution Corporation, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, and The Brooklyn Union Gas Company d/b/a National Grid NY.

<sup>2</sup> Case 20-M-0082 – Proceeding on Motion of the Commission Regarding Strategic Use of Energy Related Data, Order Addressing [sic] Integrated Energy Data Resource Matters (Oct. 13, 2023) (“IEDR Matters Order”).

<sup>3</sup> Case 20-M-0082, Order implementing Integrated Energy Data Resource (Feb. 11, 2021).

<sup>4</sup> IEDR Matters Order at 11.

**Public hearing(s) will be held at:** 10:00 a.m., Sept. 16, 2024 at H. Lee Dennison Bldg., Hauppauge, NY; 6:00 p.m., Sept. 16, 2024 at Long Island Power Authority, Uniondale, 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.

**Text of proposed rule and any required statements and analyses may be obtained from:** William Wai, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9224, email: [wwai@lipower.org](mailto:wwai@lipower.org)

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

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

**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.

## Department of Motor Vehicles

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

#### Point System and Licensing After Revocation Action

**I.D. No.** MTV-36-23-00031-RP

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

**Proposed Action:** Amendment of sections 131.3, 131.4, 136.5 and 136.6 of Title 15 NYCRR.

**Statutory authority:** Vehicle and Traffic Law, sections 215(a), 510(3)(d), (6)(a) and 1193(2)(c)

**Subject:** Point System and Licensing After Revocation Action.

**Purpose:** To assign point values for alcohol related convictions and increase point values and negative units for certain violations.

**Text of revised rule:**

Subdivision (b) of section 131.3 is amended to read as follows:

(b) Exceptions. (1) The following violations shall be assigned a point value of 11 points:

(i) any violation involving speeding more than 40 miles per hour over the speed limit[.];

(ii) any violation involving operation of a motor vehicle while such person's license or privilege is suspended or revoked, including conviction of section 511 of the Vehicle and Traffic Law, and for any other incident of driving during a period of license suspension or revocation; and

(iii) any alcohol- or drug-related driving conviction or incident, as such term is defined by 15 NYCRR § 136.5(a)(1).

(2) The following violations shall be assigned a point value of eight points:

(i) any violation involving speeding more than 30 but no more than 40 miles per hour over the speed limit[.];

(ii) any violation involving overtaking or passing a stopped school bus;

(iii) any violation involving the operation or movement of a vehicle or a combination of vehicles exceeding height limitations over, under, on, or through highways, bridges or highway structures, or the striking of a bridge or highway structure, pursuant to subdivisions (2) or (14) of section 385 of the Vehicle and Traffic Law; and

(iv) any violation involving driving through a highway construction or maintenance work area at a speed in excess of the posted work area speed limit, pursuant to subdivision (f) of section 1180 of the Vehicle and Traffic Law.

(3) The following violations shall be assigned a point value of six points:

(i) any violation involving speeding more than 20 but not more than 30 miles per hour over the speed limit.

(4) The following violations shall be assigned a point value of five points:

(i) reckless driving;

(ii) [any violation involving overtaking or passing a stopped school bus;

(iii)] any violation involving the use of a mobile telephone or portable electronic device; [and]

[(iv)] (iii) any violation involving a railroad crossing;

(iv) any violation involving facilitating aggravated unlicensed operation of a motor vehicle pursuant to section 511-a of the Vehicle and Traffic Law;

(v) any violation involving failure to exercise due care pursuant to section 1146 of the Vehicle and Traffic Law;

(vi) any violation involving a speed contest or race pursuant to section 1182 of the Vehicle and Traffic Law; and

(vii) any violation involving leaving the scene of a personal injury accident without reporting.

(5) The following violations shall be assigned a point value of four points:

(i) any violation involving speeding more than 10 but not more than 20 miles per hour over the speed limit;

(ii) following too closely; and

(iii) inadequate service brakes, except for such a violation committed by an employed driver during the course of [his] *their* employment, which shall be subject to the provisions of subdivision (a) of this section.

(6) The following violations shall be assigned a point value of three points:

(i) any violation involving speed except where a different point value has been assigned;

(ii) any violation constituting a failure to yield the right-of-way;

(iii) any violation involving disobeying a traffic control signal or a stop or yield sign;

(iv) any violation involving improper passing, changing lanes unsafely, driving to left of center of roadway, or driving in the wrong direction;

(v) leaving the scene of a property damage incident or injury to an animal without reporting; and

(vi) any violation involving use of safety belts or seats by a child under the age of 16.

(7) The following violations shall not be assigned any point value:

(i) any violation relating to vehicle registration, licensing or insurance;

(ii) any violation relating to motor vehicle inspection, vehicle weights or dimensions or vehicle equipment other than inadequate service brakes;

(iii) [any violation, other than a violation set forth in paragraphs (1) through (6) of this subdivision, for which suspension or revocation action is mandated upon conviction; (iv)] any parking violation;

[(v)] (iv) any pedestrian or bicycle violation;

[(vi)] (v) any violation relating to a business or the sale of goods established in the Vehicle and Traffic Law or any local law;

[(vii)] (vi) any other violation not resulting from the operation of a motor vehicle; and

[(viii)] (vii) any violation of section 1110(a) of the Vehicle and Traffic Law relative to the improper use of high occupancy vehicle lanes in Suffolk County, between exits 49 and 57 of the Long Island Expressway.

(8) Point values for violations committed on or after July 1, 1988, shall be assigned in accordance with the provisions of this section which became effective on October 12, 1988.

*\*The proposed regulations will not be enforceable until the thirtieth day following publication in the State Register of notice to the public that the Commissioner has determined that the Department's systems are prepared to implement the proposed regulatory changes.*

Subdivisions (a), (b), and (c) of section 131.4 are amended to read as follows:

(a) A motorist may be mailed a letter advising [him] *them* of the status of [his] *their* driving record and any possible future action which may be taken in the event of his accumulation of additional points when a motorist has accumulated between four and six points within [an 18] a 24- month period.

(b) A motorist may be required to attend a driver improvement clinic when [he has] *they have* accumulated between 7 and 10 points within [an 18] a 24- month period. Failure to attend a driver improvement clinic when required may result in the suspension of the motorist's license as prescribed in Part 132 of this Title.

(c) A motorist may be required to attend a formal hearing to investigate habitual or persistent violation of the provisions of the Vehicle and Traffic Law or of any lawful ordinance, rule or regulation made by local authorities in relation to traffic at which suspension or revocation action may be taken against [his] *their* license when [he has] *they have* accumulated:

(1) eleven or more points within [an 18] a 24- month period, *except when (i) all such points result from a single alcohol- or drug-related driving conviction or incident as defined by paragraph (1) of subdivision (a) of section 136.5 of this Title, or (ii) all such points result from a single violation of section 511 of the Vehicle and Traffic Law;*

(2) nine or more points resulting from speeding violations within [an 18] a 24- month period; or

(3) four or more additional points within a 12-month period after having attended a formal hearing.

*\*The proposed regulations will not be enforceable until the thirtieth day following publication in the State Register of notice to the public that the Commissioner has determined that the Department's systems are prepared to implement the proposed regulatory changes.*

Subparagraph (i) of paragraph (1) of subdivision (a) of section 136.5 is amended to read as follows:

(i) a conviction or a youthful offender adjudication of a violation of section 1192 of the Vehicle and Traffic Law or an out-of-state conviction

tion for operating a motor vehicle while under the influence of alcohol or drugs;

Subparagraphs (iii) and (iv) of paragraph (2) of subdivision (a) of section 136.5 is amended to read as follows:

(iii) conviction of two or more violations *other than as defined in paragraph (1) of this subdivision*, for which five or more points are assessed on a violator’s driving record pursuant to [S]section 131.3 of this Title; or

(iv) 20 or more points from any violations *other than as defined in paragraph (1) of this subdivision*.

Paragraphs (1) and (2) of subdivision (b) of section 136.5 is amended to read as follows:

(1) the person has [five] *four* or more alcohol- or drug-related driving convictions or incidents in any combination within [his or her] *their* lifetime, then the commissioner shall deny the application.

(2) the person has three [or four] alcohol- or drug-related driving convictions or incidents in any combination within the 25 year look back period and, in addition, has one or more serious driving offenses within the 25 year look back period, then the commissioner shall deny the application;

Subparagraph (i) of paragraph (3) of subdivision (b) of section 136.5 is amended to read as follows:

(i) the person has three [or four] alcohol- or drug-related driving convictions or incidents in any combination within the 25 year look back period but no serious driving offenses within the 25 year look back period; and

Subparagraph (i) of paragraph (4) of subdivision (b) of section 136.5 is amended to read as follows:

(i) the person has three [or four] alcohol- or drug-related driving convictions or incidents in any combination within the 25 year look back period but no serious driving offenses within the 25 year look back period; and

*\*The proposed regulations will not be enforceable until the thirtieth day following publication in the State Register of notice to the public that the Commissioner has determined that the Department’s systems are prepared to implement the proposed regulatory changes.*

Subdivision (a) of section 136.6 is amended to read as follows:

(a) There shall be assigned to each safety factor a negative unit as follows:

Safety factor	Assigned Negative Units	
	over one year to [three] four years of application	within one year of application
(1) for each reportable accident of record with a finding by the referee of gross negligence in the operation of a motor vehicle in a manner showing a reckless disregard for the life and property of others	-5	-8
(2) for each reportable accident of record with conviction involvement or with a finding by the referee of a violation of the Vehicle and Traffic Law	-3	-4
(3) for the first and second speeding conviction of record*	-3	-4
(4) for the third and subsequent speeding conviction*	-5	-8

Safety factor	Assigned Negative Units	
(5) for reckless driving, speed contest, <i>overtaking</i> or passing a stopped school bus, <i>any violation involving the use of a mobile telephone or portable electronic device, or operation or movement of a vehicle exceeding height limitations on highways, bridges, or highway structures, or striking bridges or highway structures, pursuant to Vehicle and Traffic Law § 385(2) or (14), or speeding in a work zone in excess of the posted speed limit pursuant to Vehicle and Traffic Law § 1180(f)</i>	[-5]-8	[-8]-11
(6) for each conviction of record for leaving the scene of a personal injury accident of record	-8	-11
(7) for each alcohol-related offense of record as follows: (i) conviction for violation of subdivision (1) of section 1192 of the Vehicle and Traffic Law: first offense second offense third offense (ii) conviction for violation of subdivision (2), (2-a), (3), (4), or (4-a) of section 1192 of the Vehicle and Traffic Law: first offense second or subsequent offense (iii) chemical test refusal	[-5]-8 [-8]-11 [-11]-14 [-8]-11 [-11]-14 [-6]-9	[-8]-11 [-11]-14 [-14]-17 [-11]-14 [-14]-17 [-11]-14
(8) for each conviction of homicide, criminally negligent homicide, or assault arising out of the operation of a motor vehicle	[-11]-14	[14]-17
(9)(i) for each incident of driving during a period of alcohol-related license suspension or revocation (ii) for each other incident of driving during a period of license suspension or revocation	[-10]-13 [-8]-11	[-12]-15 [-10]-13
(10) for each conviction or finding by the commissioner’s referee of a violation of section 392 of the Vehicle and Traffic Law	-3	-4
(11) for each other conviction of record for a moving violation	-2	-3

*\*\*For each speeding violation of 25 miles per hour or more over the posted speed limit, add one [point] unit.*

*\*The proposed regulations will not be enforceable until the thirtieth day following publication in the State Register of notice to the public that the*

Commissioner has determined that the Department's systems are prepared to implement the proposed regulatory changes.

**Revised rule compared with proposed rule:** Substantial revisions were made in sections 131.3(b)(1)(ii) and 136.6(a)(5).

**Text of revised proposed rule and any required statements and analyses may be obtained from** Heidi Bazicki, Department of Motor Vehicles, 6 Empire State Plaza, Room 522A, Albany, NY 12228, (518) 474-0871, email: dmv.sm.legal@dmv.ny.gov

**Data, views or arguments may be submitted to:** John Kenefick, Department of Motor Vehicles, 6 Empire State Plaza, Room 522A, Albany, NY 12228, (518) 474-0871, email: dmv.sm.legal@dmv.ny.gov

**Public comment will be received until:** 30 days after publication of this notice.

#### Revised Regulatory Impact Statement

1. Statutory authority: Vehicle and Traffic Law (VTL) section 215(a) provides that the Commissioner of Motor Vehicles ("Commissioner") may enact rules and regulations that regulate and control the exercise of the powers of the Department of Motor Vehicles ("DMV" or "Department"). Section 510(3)(d) of the VTL provides that the Commissioner may suspend or revoke a license, registration, or privilege of operating for habitual or persistent violation of any provision of the VTL or of any lawful local ordinance, rule or regulation made by local authorities in relation to traffic.

Section 510(6)(a) of the VTL provides that where a license is mandatorily revoked, such license shall not be restored except in the discretion of the Commissioner. Section 1193(2)(c) of the VTL provides that when a license is revoked as the result of alcohol- or drug-related conviction, no new license shall be issued after the expiration of the minimum revocation period, except in the discretion of the Commissioner. Section 1194(2)(d)(1) provides that where a license is revoked arising out of a chemical test refusal, no new license shall be issued except in the discretion of the Commissioner.

2. Legislative objectives: The objectives of the authority granted above are twofold. The first is to establish a system for the Department to identify driving records which shall be presumptively deemed to constitute habitual and persistent violations of laws related to traffic and take appropriate license sanctions against an operator who poses a highway safety risk to others. The second is to establish a system for the restoration of a driver's license and the re-licensing of individuals whose licenses have been suspended or revoked for alcohol- or drug-related offenses.

3. Needs and benefits: The proposed rule is both necessary and beneficial for the enhancement of highway safety in New York State. This proposal is consistent with legislative objectives that grant the Commissioner discretion to identify driving records which shall be presumptively deemed to constitute habitual and persistent violations of laws related to traffic. The Commissioner promulgated Part 131 of the rules and regulations to establish the point system that serves as the basis for the assessment of persistent violator status. The Department determines which violations are assigned points and how many such points are assigned. The criteria set forth in Part 131 are designed to permit the Department to take appropriate license sanctions against an operator who poses a highway safety risk to others. This proposal is consistent with the legislative objective of sanctioning drivers who commit persistent violations of the law.

Currently, Part 131 provides, in pertinent part, that a person who accumulates 11 or more points within an 18-month period is deemed a persistent violator and is subject to a license suspension or revocation. Under the proposed rule a person who accumulates 11 points within a 24-month period is deemed a persistent violator and is subject to a license suspension or revocation. Increasing the time frame from 18 months to 24 months allows the Department to review a longer period of operation for when administrative action can be taken for a persistent violator, and will result in an increase of about 40% of drivers being classified as persistent violators. Increasing the time frame within which an operator can be considered a persistent violator aligns with the legislative objective of sanctioning drivers who commit persistent violations of the law, and ultimately, will modify driver behavior for a longer period of time.

The proposed rule will increase the points for violations of passing or overtaking a stopped school bus from five (5) points to eight (8) points. Passing or overtaking a stopped school bus has serious public safety consequences and such violations should carry a point value commensurate with those potential consequences. Increasing the points for passing or overtaking a stopped school bus reinforces the message that DMV considers this a serious offense. This action is also consistent with recent statutory changes regarding passing a stopped school bus. In 2019, the law was changed to allow for the use of automated enforcement via camera for passing school busses illegally. This violation is particularly egregious because it shows a disregard for more vulnerable road users – especially children. Violations for passing a stopped school bus increased by 6.7% from 2021 to 2022, and are projected to increase 15% from 2022 to 2023.

The proposed rule will add points for violations that currently have no point value associated with them. This includes alcohol- and drug-related offenses, aggravated unlicensed operation of a motor vehicle, leaving the scene of a personal injury crash, violations for the exceeding the posted height clearance for a bridge, striking a bridge or structure, and speeding in a work zone. Adding points for violations that currently have no point value associated with them has the purpose of reinforcing the message that DMV considers such violations to be of a serious nature and a great risk to public safety. These amendments to the point system are needed because currently there are no points assigned to alcohol/drugged driving convictions, chemical test refusals, operating while suspended or revoked, or leaving the scene of a personal injury crash, thus there is no authority currently to treat these egregious behaviors and convictions similarly to other convictions which qualify motorists to be deemed problem drivers. Adding these points will increase the likelihood of reaching a threshold to be revoked, thus requiring application for re-licensure be submitted to the Commissioner for consideration and review of the specific record. Additionally, these violations have negative units assigned to their associated safety factors. Assigning point values to them reflects the severity of the infraction and is commensurate with the Department's approach when reviewing the motorist's record upon application for relicensure.

Moreover, the increased points become part of the persistent violator equation which subjects such motorist to the suspension or revocation of their license. Assigning appropriate point values for violations of the VTL is an essential component of DMV's commitment to highway safety and its effort to deter such violations on our highways. Determining and setting appropriate point values for different types of violations, relative to their severity and the risk they pose, aligns with the legislative objective of sanctioning drivers who commit persistent violations of the law.

Additionally, a person whose driver's license is revoked must apply to the DMV for relicensure. Such person's driving record is subject to a review pursuant to Part 136 of the rules and regulations. The proposed rule would amend section 136.5 to lower the bar for permanent license forfeiture of motorists who continue to driver under the influence of alcohol and drugs. This proposal is both necessary and beneficial because it protects the public from recidivist drunk drivers who pose a real threat to highway safety. For example, the proposed rule provides that an application will be "permanently" denied if the applicant has four or more alcohol- or drug-related convictions or incidents on his or her entire record or if such person has three such convictions or incidents plus one or more serious driving offense within the 25-year period prior to the date of the revocable offense. One in five convicted drinking drivers in New York State is a recidivist, and 44% of fatal crashes in New York are alcohol- or drug-related. These proposals will provide a vital next step in protecting the motoring public from recidivist alcohol- and drug-related offenders who pose a real threat to highway safety. Approximately 10,000 recidivist drivers with 4 alcohol- or drugged driving incidents on their record could still re-obtain a driving privilege in New York under existing regulations.

This proposal is consistent with legislative objectives that grant the Commissioner broad discretion in establishing criteria for the restoration of driver's licenses and the re-licensing of individuals whose licenses have been suspended or revoked for alcohol- or drug-related offenses. The Commissioner promulgated Part 136 of the rules and regulations to set forth such criteria. The criteria set forth in Part 136 are designed to permit relicensure of motorists who no longer pose a danger on our highways. This proposal is consistent with the legislative objective of protecting the motoring public as it strengthens the standards used to evaluate a motorist's lifetime record and it lowers the bar for permanent license forfeiture of motorists who continue to drive under the influence of alcohol and drugs.

Under section 136.6, the Department assigns negative units to various safety factors, as defined in section 136.1(b)(5). If a person has 25 or more negative units, such person is deemed a highway safety risk and is denied relicensure. Negative units are assigned for various violations of the VTL. This proposed rule would increase the negative units for the following violations: reckless driving, speed contest and passing a stopped school bus, for alcohol- and drug-related convictions, chemical test refusals, convictions of homicide, criminally negligent homicide, or assault arising out of the operation of a motor vehicle and driving during a period of license suspension or revocation. The proposed rule would also expand the negative unit scheme to include violations involving the use of a mobile telephone or portable electronic device, violations for the exceeding the posted height clearance for a bridge, striking a bridge or structure, and speeding in a work zone. These changes ensure safety factors are commensurate with point values for associated violations. The proposed rule would change the time frame in which the Department is able to utilize negative units from within three years to within four years. The increase of negative units for certain offenses or the addition of negative units being applied to violations of a serious nature will provide a critical step in protecting the motoring public from unsafe operators of motor

vehicles and will ensure a driver's violations are appropriately weighted when the department reviews a relicensing application. These changes further highway safety by strengthening the criteria for approval of an application for relicensure.

4. Costs: There is no cost to regulated parties, customers, the State, the agency, and local government.

5. Local government mandates: There are no local government mandates.

6. Paperwork: There are no new paperwork requirements.

7. Duplication: This proposal does not duplicate, overlap, or conflict with any relevant rule or legal requirement of the State and federal governments.

8. Alternatives: After reviewing the continuing and serious highway safety risks associated with habitual and persistent violators of the VTL, DMV determined that it was prudent to increase the time frame for which someone is deemed a persistent violator, to increase the points for certain violations, and to add points for violations that previously did not have a point value assigned. DMV considered increasing all point values, but instead decided to add point values to violations for which no point values are currently assessed. Increases are tailored to violations that the state, as a policy, has also addressed via statutory modification in recent years. The Vehicle and Traffic law was amended in 2019 to authorize automated enforcement via camera tickets for violations for passing a stopped school bus. The legislature has also passed legislation to expand the conduct that is considered aggravated unlicensed operation and has proposed additional notice requirements be sent to certain drivers in an effort to deter this behavior.

The Department examined several ways to strengthen the re-licensing criteria set forth in Part 136. For example, we considered permanent denial if the applicant has three or more alcohol- or drug-related convictions or incidents on their entire record, but decided on a gradual approach, instead reducing to four convictions. A no-action alternative was considered but not adopted, because the Department believes that steps must be taken to lower the bar for permanent license forfeiture for reckless drivers who continue to driver under the influence of alcohol and drugs.

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

10. Compliance schedule: The proposed regulations will not be enforceable until the thirtieth day following publication in the State Register of notice to the public that the Commissioner has determined that the Department's systems are prepared to implement the proposed regulatory changes.

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

A Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement is not submitted with this notice because the proposed rule does not necessitate revision to the previously published Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

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

Comment: The Department received several comments supporting the proposed rules. The comments came from individual New Yorkers identifying themselves as a drivers, a trucker, taxi cab driver, courier and bus driver, and pedestrian and bicyclist, as well as traffic safety advocacy groups, labor unions, and not-for-profit organizations. They expressed the importance of strengthening traffic safety regulations to protect the public and endorsed the proposed rules as appropriate means to do so.

Response: The Department appreciates the breadth of support for the proposed rules.

Comment: The Department received several comments supporting the proposed rules and making further suggestions to further improve traffic safety, take dangerous drivers off the roads, and protect the public.

Response: The Department appreciates the support for the proposed rules, as well as the suggestions for additional rules. The Department has considered all the suggestions and is amending the proposed rules to include some of them, as well as others.

The amendments include adding a point value of five points for violations involving facilitating aggravated unlicensed operation of a motor vehicle pursuant to section 511-a of the Vehicle and Traffic Law; increasing from two to five the point value for violations involving the failure of drivers to exercise due care pursuant to section 1146 of the Vehicle and Traffic Law; increasing from three to five the point value for any violation involving leaving the scene of a personal injury accident without reporting; and adding a point value of five points for any violation involving a speed contest or race pursuant to section 1182 of the Vehicle and Traffic Law. These amendments will help to further align the severity of the point penalties in the Driver Violation Point System with the severity of the potential injuries caused by drivers who commit such violations.

Adding a point value of five points for violations involving facilitating

aggravated unlicensed operation of a motor vehicle pursuant to section 511-a of the Vehicle and Traffic Law is appropriate way to directly administratively address behavior that puts dangerous drivers back on the road. Consenting to allow another person to operate a motor vehicle registered in one's name on a public highway, with the knowledge that the other person's license or privilege to operate a motor vehicle is suspended, revoked or otherwise withdrawn, is antithetical to both existing law and the objectives of the proposed rules, contravenes a determination by the Department, and directly undermines its mission.

Adding a point value of five points for violations involving the failure of drivers to exercise due care pursuant to section 1146 of the Vehicle and Traffic Law helps to specifically address failures to yield the right of way to pedestrians and bicyclists. Such violations are especially deadly. In New York City, for example, over approximately the last three years, a least twelve percent of traffic fatalities were caused by the failure of a driver to yield the right of way to a pedestrian or bicyclist as required, resulting in an average of thirty deaths each year.

Increasing the point value from three to five for any violation involving leaving the scene of a personal injury accident without reporting reinforces the importance of remaining at the scene of a crash and promptly reporting it, thereby enabling a faster emergency response and helping to address the needs of anyone injured.

Adding a point value of five points for any violation involving a speed contest or race pursuant to section 1182 of the Vehicle and Traffic Law creates an administrative sanction for extraordinarily high-risk behavior that endangers not only the participants and any passengers, but the lives and property of everyone else in the vicinity. While a violation of section 1182 is a crime, conviction of which requires license revocation pursuant to section 510(2)(a)(vi) of the Vehicle and Traffic Law, a point value assignment is nevertheless necessary and appropriate as a basis for further independent administrative action pursuant to Part 131.4 of the Commissioner's Rules and Regulations. Assigning a point value of five points will potentially lower the threshold for a future license revocation or suspension and may also have potential ramifications on applications for relicensure.

Comment: The Department received several comments opposing the proposed rule assigning eight points for violations involving overheight and overweight vehicles.

Response: The Department reviewed and considered the comments, and maintains that assigning eight points for violations involving vehicles that exceed height restrictions is essential to hold drivers accountable for the damage they cause, especially by bridge strikes and other low-clearance impacts, and to deter such conduct.

The Department acknowledges that there may be certain circumstances, however, in which drivers may have no way to know the weight of a vehicle, its cargo, or whether a vehicle has been overloaded, and that drivers do not always have authority over the weights of their vehicles or the cargo they carry. The Department is revising the proposed rule, therefore, to eliminate the assignment of eight points for violations involving overweight vehicles, as well as the corresponding assigned negative units. This conduct remains a violation of the Vehicle and Traffic Law that is enforced at roadside.

Comment: The Department received comments generally asserting that the Department lacks authority to adopt the proposed regulations.

Response: The Department has longstanding statutory authority to adopt regulations to improve traffic safety. The authority contained in sections 215(a), 510(3)(d), 510(6)(a), 1193(2)(c) and 1194(e) of the Vehicle and Traffic Law empower the Commissioner of Motor Vehicles to amend the Regulations of the Commissioner of Motor Vehicles as proposed. No changes to the proposed regulations were made as a result of these comments.

Comment: Some commenters expressed concerns that imposing or increasing points for certain violations inadvisably and perhaps impermissibly increases the Driver Responsibility Assessment and has excessively harsh and duplicative consequences.

Response: The Department considered the comments and is revising the proposed rules to adjust the point value assigned for any alcohol- or drug-related driving conviction or incident from fourteen points to eleven. This revision preserves the Department's ability to apply a point value to such violations as a basis for further independent administrative action pursuant to § 131.4 of the Commissioner's Rules and Regulations. It will deter impaired driving and better empower the Department to take dangerous impaired drivers off the road, without unduly severely raising the Driver Responsibility Assessment associated with such violations.

The Department is further revising the proposed rules to exclude from the persistent violation calculus of section 131.4(c)(1) the points resulting from a single violation of section 511 of the Vehicle and Traffic Law; and to exclude from the "Serious driving offense" calculations of section 136.5(a)(2)(iii) and (iv) the points resulting from an "alcohol- or drug-related driving conviction or incident" as defined by Section 136.5(a)(1).



Comment: The Department received a comment opposing the proposed rule changing from four to three the number of alcohol- or drug-related convictions which, combined with one or more serious driving offenses, make a person eligible for permanent license revocation. The commenter urged that not having a license is an economic hardship and that the rule change will encourage more unlicensed driving.

Response: While the Department acknowledges that not having a license may result in economic hardship, the proposed rule further protects the public from repetitive dangerous conduct that resulted in the license revocation. To further discourage unlicensed driving, the proposed rule assigns a point value of five points for such unlicensed operation violations and increases the number of negative units assigned to such violations. No change to the proposed rule was made as a result of this comment.

Comment: The Department received a comment opposing the assignment of a point value of eleven points for conviction of section five hundred eleven of the Vehicle and Traffic Law, involving operation of a motor vehicle while such person's license or privilege is suspended or revoked. The commenter urged that conviction of the offense does not make someone a dangerous driver, especially if the underlying reason is for failing to answer a summons or pay a fine.

Response: The Department maintains that the aggravated unlicensed operation of a motor vehicle in violation of section 511 of the Vehicle and Traffic Law is a crime punishable by a term of imprisonment and ranging in seriousness from a misdemeanor to a class E felony. Commission of such crimes requires repeated disregard for the law and the person's obligations pursuant to it. It reflects an elevation of the person's own self-interest above the needs of society and the general public that the law protects, and it is appropriately administratively sanctioned with the assignment of a point value of eleven points. Although the Department made no change to point assignment because of this comment, the Department is revising the proposed rule in two ways. First, the Department is revising the point assignment language to include each other incident of driving during a period of license suspension or revocation. Second, the Department is excluding from the persistent violation calculus of section 131.4(c)(1) the points resulting from a single violation of section 511 of the Vehicle and Traffic Law.

Comment: The Department received two inquiries about the timing and applicability of the proposed rule amending section 136.5 of the regulations to reduce the numbers of alcohol- or drug-related convictions from five to four (section 136.5(b)(1)) and from four to three (section 136.5(b)(2)-(4)).

Response: The proposed rule is effective on the thirtieth day following publication in the State Register of notice to the public that the Commissioner has determined that the Department's systems are prepared to accommodate the proposed regulatory changes.

The proposed rule change reducing the number of alcohol- or drug-related convictions from five to four (section 136.5(b)(1)) applies only to people with three or fewer such convictions as of the effective date. It does not apply to people who already have four or more such convictions as of the effective date.

The proposed rule change reducing the numbers of alcohol- or drug-related convictions from four to three (section 136.5(b)(2)-(4)), apply only to people with two or fewer such convictions as of the effective date. It does not apply to people who already have three or more such convictions as of the effective date.

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## Office for People with Developmental Disabilities

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

#### Specialty Hospitals

**I.D. No.** PDD-29-24-00002-P

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

**Proposed Action:** Amendment of Part 680 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 13.07, 13.09(b), 13.15(a) and 16.00

**Subject:** Specialty Hospitals.

**Purpose:** To clarify requirements and better meet needs of individuals with I/DD seeking treatment at specialty hospitals.

**Substance of proposed rule (Full text is posted at the following State website: <https://opwdd.ny.gov/regulations-guidance/current-proposed-regulations>):** OPWDD is updating the Part 680 specialty hospital regulation to make clarifications and changes to better meet the needs of individuals with intellectual and developmental disabilities who require treatment at a specialty hospital. Changes throughout the regulation were necessary to ensure consistency with updates to other related regulations, including updating staffing requirements and provision of services, removing redundant regulatory requirements applicable to medical facilities, changing the responsibility for rate setting from OPWDD to DOH, standardizing language and including current terminology and nomenclature.

Sections of the regulation were streamlined by removing lengthy descriptions when a citation sufficed. Examples of these changes include revising sections pertaining to operating certificates (citation to Mental Hygiene Law), deletion of incident reporting requirements (citation to Parts 624 and 625), and requirements for the handling of medications (citation to Section 633.17). The rate setting section was also revised to replace the original regulatory language with a reference to the New York State Medicaid State Plan.

Updates were made with respect to the agency that operates the specialty hospital to permit it to offer its other agency-licensed services to specialty hospital patients when in conformance with contractual and billing requirements. Other updates include: 1) if the approved capacity of a specialty hospital is fewer than twenty (20) individuals, an on-staff psychiatrist is not required; 2) the addition of behavior support services under psychology services; 3) behavior support services provided indirectly must be delivered by a behavior intervention specialist; 4) at least one full-time physician is required to be on duty forty (40) hours per week and, when a licensed nurse-practitioner is on duty, a physician must also be on call. During those instances, the on duty licensed nurse practitioner is excluded from the required nursing staff ratio.

Portions of the regulation no longer applicable were deleted while necessary language was added. Deletions include the staffing requirement for developmental specialists and educational services because educational responsibilities are addressed in New York State Education Department law and regulations; and requirements applicable to medical facilities and the record of operations, including the associated regulatory references to Parts 624, 625, 633, and 635. Additions to the regulation include the description and usage of supported decision-making agreements; clarifying amendments to the definitions of correspondent, mid-level supervisor and licensed nurse practitioner; the requirement that a treating physician must recommend a patient's admission to a specialty hospital and include a determination that no other less restrictive environment is sufficient to meet the patient's needs; the requirement for specialty hospitals that provide services reimbursable by Medicare must apply to be an approved provider and, if approved, must participate in the program; and clarifying language on admission criteria timeframes.

Finally, minor changes and clarifications were made to the regulation to ensure consistent application and understanding by specialty hospital providers. These include more clearly delineating the roles and responsibilities of the specialty hospital's utilization review as distinct from the OPWDD's independent utilization review; updating the glossary for consistency with the definition of selective services and the required documentation for the individual program plan; revising language to reflect current vernacular for professionals and services (e.g., assistive technology); and updating language to be gender inclusive.

**Text of proposed rule and any required statements and analyses may be obtained from:** Jillian Sauer, Office for People With Developmental Disabilities, 44 Holland Avenue, Albany, NY 12229, (518) 474-7700, email: [rau.unit@opwdd.ny.gov](mailto:rau.unit@opwdd.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 the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

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

**Regulatory Impact Statement**

1. Statutory authority:  
 a. The Office for People With Developmental Disabilities (OPWDD) has the statutory responsibility to provide and encourage the provision of appropriate programs, supports, and services in the areas of care, treatment, habilitation, rehabilitation, and other education and training of persons with intellectual and developmental disabilities, as stated in the New York State (NYS) Mental Hygiene Law (MHL) Section 13.07.

b. OPWDD has the statutory authority to adopt rules and regulations

necessary and proper to implement any matter under its jurisdiction as stated in the NYS MHL Section 13.09(b).

c. OPWDD has the statutory authority to adopt regulations concerned with the operation of programs and the provision of services, as stated in the NYS MHL Section 16.00. The regulation also ensures compliance by OPWDD certified and operated residences with the proper provision of services.

2. Legislative objectives: The proposed regulations further legislative objectives embodied in MHL sections 13.07, 13.09(b), and 16.00. The regulations amend Title 14 New York Codes Rules and Regulations (NYCRR) Part 680 in order to better meet the needs of individuals with intellectual and developmental disabilities who require treatment at a specialty hospital.

3. Needs and benefits: The proposed regulation amends various parts of Part 680 to ensure consistency with updates to other related regulations, including updating staffing requirements and provision of services, removing redundant regulatory requirements applicable to medical facilities, changing the responsibility for rate setting from OPWDD to the New York State Department of Health (DOH), standardizing language and including current terminology and nomenclature. The proposed regulation is being amended to better match other regulations that Specialty Hospitals were already required to be in compliance with. Individuals, regulated providers, and the State will benefit from the regulatory updates by having a streamlined, more understandable regulation that clearly references other relevant regulations and reduces unnecessary redundancies (e.g., inclusion of information about supported decision-making (Part 634 of the Title), removal of repealed regulations such as the Department of Health's Title 10 regulation, Section 405.1022 on physical environment). The regulatory updates also increase staffing flexibilities through the addition of behavior intervention specialists and nurse practitioners as staff and clarifying allowances for the regulated providers to utilize agency expertise outside the specialty hospital program to deliver services in the specialty hospital, thus increasing clinical capacity and economies of scale for the provision of those services.

4. Costs:

a. Costs to the agency and to the State and its local governments:

There is no anticipated impact on Medicaid expenditures as a result of the proposed regulations.

These regulations will not have any fiscal impact on local governments, as the contribution of local governments to Medicaid has been capped. Chapter 58 of the Laws of 2005 places a cap on the local share of Medicaid costs and local governments are already paying for Medicaid at the capped level.

There are no anticipated costs to OPWDD in its role as a provider of services to comply with the new requirements.

b. Costs to private regulated parties: There are no anticipated costs to regulated providers to comply with the proposed regulations. Regulated providers may have increased efficiencies by leverage existing agency resources and/or benefit from economies of scale.

5. Local government mandates: This rule would not apply to local government units. There are no new requirements imposed by the rule on any other county, city, town, village or school, fire, or other special district.

6. Paperwork: Providers will not experience an increase in paperwork because of the proposed regulations.

7. Duplication: The proposed regulations do not duplicate any existing State or federal requirements on this topic.

8. Alternatives: OPWDD did not consider leaving the regulation unchanged or any other alternatives to the proposed regulations. The regulatory update was necessary as the current regulation limits the available services at a specialty hospital (e.g., behavior intervention specialist services were not included) as well as not providing accommodations and allowances specific to smaller regulated providers.

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

10. Compliance schedule: The proposed regulations were discussed with and reviewed by representatives of providers in advance of this proposal. OPWDD expects that providers will be in compliance with the proposed requirements at the time of their effective date, which will be upon publication of the Notice of Adoption in the State Register.

#### **Regulatory Flexibility Analysis**

A Regulatory Flexibility Analysis for the proposed regulation is not being submitted because it is apparent from the nature and purpose of the regulation that they will not have a substantial adverse impact on small businesses and/or local governments.

The proposed regulation amends Title 14 New York Codes Rules and Regulations (NYCRR) Part 680 in order to better meet the needs of individuals with intellectual and developmental disabilities who require treatment at a specialty hospital. The regulation will result in increased flexibility on staffing requirements for Specialty Hospitals. There is also

no additional paperwork required by the amendment. A Regulatory Flexibility Analysis for the proposed regulation is not being submitted because it is apparent from the nature and purpose of the regulation that it will not have a substantial adverse impact on small businesses and/or local governments.

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

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

The proposed regulation amends Title 14 New York Codes Rules and Regulations (NYCRR) Parts 680 in order to better meet the needs of individuals with intellectual and developmental disabilities who require treatment at a specialty hospital. The regulation will not result in an adverse impact on rural communities because the regulation applies to all providers of these services. Additionally, there are specific staffing provisions designed to provide increased flexibility to smaller specialty hospitals. The proposed regulation will not result in additional costs for regulated parties. Therefore, the amendments will not have any adverse effects on providers in rural areas and local governments.

#### **Job Impact Statement**

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

The proposed regulation amends Title 14 New York Codes Rules and Regulations (NYCRR) Part 680 in order to better meet the needs of individuals with intellectual and developmental disabilities who require treatment at a specialty hospital. The regulation will result in increased flexibility on staffing requirements for Specialty Hospitals. As such the regulation will not have a substantial impact on jobs or employment opportunities in New York State.

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## Public Employment Relations Board

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

#### **Clarification of PERB's Rules of Procedure**

**I.D. No.** PRB-29-24-00001-P

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

**Proposed Action:** Amendment of section 263.34 of Title 12 NYCRR.

**Statutory authority:** Labor Law, art. 20; L. 2019, ch. 105, as amended by L. 2020, ch. 58, part II, section 3

**Subject:** Clarification of PERB's Rules of Procedure.

**Purpose:** To clarify that section 263.34 of PERB's Rules of Procedure comports with the First Amendment and relevant case law.

**Text of proposed rule:** § 263.34 Charge

(a) A charge that any employer has engaged in or is engaging in any unfair labor practice may be made by any person or labor organization. *In deciding any unfair labor practice charge brought pursuant to section 704-b.2(c) of the SERA, the expression of any views, argument, or opinion, regardless of form or method of dissemination, shall not constitute or be evidence of an unfair labor practice if such expression contains no threats of reprisal, force, or promise of benefit. In recognition of First Amendment jurisprudence regarding permissible speech of parties in the labor relations context, precedent decided pursuant to section 704 of the SERA shall be fully applicable, including decisions of the board adopting precedent decided under the National Labor Relations Act by the National Labor Relations Board and by U.S. courts.*

(b) Any agricultural employer may make a charge that employee(s) or a labor organization has engaged in or is engaging in an unfair labor practice as defined by section 704-b (1) of SERA. No other unfair labor practice charge may be brought against a labor organization or employees.

**Text of proposed rule and any required statements and analyses may be obtained from:** Sarah Coleman, Deputy Chair, Public Employment Relations Board, PO Box 2074, Albany, NY 12220-0074, (518) 457-2578, email: sarah.coleman@perb.ny.gov

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

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

**Regulatory Impact Statement**

1. Statutory Authority:

The State Employment Relations Act (Labor Law Art. 20), (SERA) was enacted in 1937. In 2010, administration of the SERA was delegated to the Public Employment Relations Board (“PERB”). PERB resolves disputes between certain private sector employers and legally recognized unions, as well as between union members and their unions. PERB also certifies bargaining units and representatives in written decisions. In 2020, the SERA was amended to provide jurisdiction over agricultural employers and farm laborers.

Section 717 of the SERA provides that “[a]ll the functions, powers and duties of [the state mediation board, the New York state labor relations board, and the state employment relations board] are hereby assigned to and shall hereafter be exercised and performed by and through the board [of PERB].” This includes the authority to “make, amend and rescind such rules and regulations as may be necessary to carry out the provisions of [the SERA].” Ch. 443 of the laws of 1937.

2. Legislative Objectives:

The proposed rules fulfill the legislative policy, as set forth in Labor Law Article 20, that the Board administer the SERA and make, amend and rescind rules and regulations to carry out the provisions of the SERA.

3. Needs and Benefits:

Because of federal litigation involving PERB, PERB became aware that there was some confusion over the scope of SERA and the necessary evidence to prove a charge before the Board. It was not clear on the face of PERB’s Rules of Procedure (Rules) whether First Amendment protections and prior precedent decided under the SERA were incorporated in the Farm Laborers’ Fair Labor Practices Act (2019 New York Laws ch. 105, as amended by L.2020, ch. 58, part 2, sec. f et seq) (FLFLPA). It was PERB’s position that preexisting precedent under the SERA applied to the FLFLPA, but a court took the opposite position. The proposed new rules make a necessary amendment to clarify that PERB’s Rules under the SERA and the FLFLPA comport with and preserve the protections of the First Amendment to the United States Constitution as enshrined in federal case law, SERA precedent, and analogous determinations by the National Labor Relations Board. The proposed rule does not make a change to the scope of the SERA but instead puts in to PERB’s Rules already existing protections and precedent. The new rule will make it more clear to parties what constitutes a viable charge and what precedent PERB will consider.

4. Costs:

The proposed rules are cost-neutral and simply clarify that PERB’s Rules of Procedure comport with protections given by the First Amendment to the United States Constitution.

The proposed rules impose no new fees, nor do they in any significant way increase the burden of practicing before PERB upon parties. Therefore, there are no costs to the regulated parties, the State, local governments, or the agency stemming from implementation of and/or continued compliance with the proposed rules.

5. Local Government Mandates:

These proposed rules will not impose any program, service, duty, additional costs, or responsibility on any county, city town, village school district, fire district, or other special district.

6. Paperwork:

These proposed rules do not increase paperwork requirements.

7. Duplication:

These proposed rules do not duplicate existing State or federal requirements.

8. Alternatives:

The proposed rule is consistent with the alternatives addressed in the original rule making. The proposed rule neither expands nor constricts the SERA or other rules and regulations. Instead, everything stated in the proposed rule is well established under the SERA and is binding on PERB. In the interest of clarity and avoiding potential future litigation, PERB decided that the current rule needed to be amended so that parties before the Board understand that First Amendment protections are incorporated into the SERA and that precedent decided under the SERA applies to the FLFLPA.

9. Federal Standards:

These proposed rules do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance Schedule:

Upon publication of a Notice of Adoption in the State Register, the rule will become effective. The clarification will apply to new cases filed with PERB and to cases currently pending before PERB.

**Regulatory Flexibility Analysis**

A Regulatory Flexibility Analysis is not required for the regulatory amendments because the regulatory amendments will neither have an adverse

impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or local governments. The regulatory amendments simply clarify that PERB’s Rules of Procedure under the State Employment Relations Act (Labor Law, Art. 20) (“SERA”) and the Farm Laborers’ Fair Labor Practices Act (L. 2019, ch. 105, as amended by L. 2020, ch. 58 part 2, sec. f et seq) (“FLFLPA”) comport with and preserve the protections of the First Amendment to the United States Constitution as enshrined in federal case law, SERA precedent, and analogous determinations by the National Labor Relations Board. The Rule affects only employees and employers whose rights are governed by the SERA, as amended by the FLFLPA—that is, private sector agricultural employers and farm laborers in the State of New York (SERA § 701.2 and 701.3), who are not subject to the National Labor Relations Act (29 U.S.C. §§ 151-169). As it was evident from the regulatory amendments that they will not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

**Rural Area Flexibility Analysis**

A Rural Area Flexibility Analysis is not required for the regulatory amendments because the regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon public or private entities in rural areas. The regulatory amendments clarify that PERB’s Rules of Procedure under the State Employment Relations Act (Labor Law, Art. 20) (“SERA”) and the Farm Laborers’ Fair Labor Practices Act (L. 2019, ch. 105, as amended by L. 2020, ch. 58 part 2, sec. f et seq) (“FLFLPA”) comport with and preserve the protections of the First Amendment to the United States Constitution as enshrined in federal case law, SERA precedent, and analogous determinations by the National Labor Relations Board. The Rules affect only employees and employers whose rights are governed by the SERA, as amended by FLFLPA—that is, private sector agricultural employers and farm laborers in the State of New York (SERA § 701.2 and 701.3), who are not subject to the National Labor Relations Act (29 U.S.C. §§ 151-169). The Rules apply state-wide and do not distinguish between litigants before PERB under the SERA based upon the nature of the locality in which a litigant is sited. As it was evident from the proposed regulatory amendments that they will not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

**Job Impact Statement**

A Job Impact Statement is not required for the regulatory amendments. It is apparent from the nature and the purpose of the regulatory amendments that they will not have a substantial adverse impact on jobs and employment opportunities in the State. The regulatory amendments clarify that PERB’s Rules of Procedure under the State Employment Relations Act (Labor Law, Art. 20) (“SERA”) and the Farm Laborers’ Fair Labor Practices Act (L. 2019, ch. 105, as amended by L. 2020, ch. 58 part 2, sec. f et seq) (“FLFLPA”) comport with and preserve the protections of the First Amendment to the United States Constitution as enshrined in federal case law, SERA precedent, and analogous determinations by the National Labor Relations Board. The Rules affect only employees and employers whose rights are governed by the SERA, as amended by FLFLPA—that is, private sector agricultural employers and farm laborers in the State of New York (SERA § 701.2 and 701.3), who are not subject to the National Labor Relations Act (29 U.S.C. §§ 151-169). The regulatory amendments will not have any adverse impact on jobs and employment opportunities in New York State.

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## Public Service Commission

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**NOTICE OF ADOPTION**

**Electric Metering Equipment**

**I.D. No.** PSC-05-24-00009-A

**Filing Date:** 2024-06-26

**Effective Date:** 2024-06-26

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 Aclara

Meters, LLC's (Aclara) petition to use the Aclara I-210+c L-Model electric meter for electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To approve Aclara's petition to use electric metering equipment in New York State.

**Substance of Final Rule:** The Commission, on June 20, 2024, adopted an order approving Aclara Meters, LLC's (Aclara) petition to use the Aclara I-210+c L-Model electric meter for electric metering applications in New York State, 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-05-24-00009-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-0692SA1)

## NOTICE OF ADOPTION

### Submetering of Electricity

**I.D. No.** PSC-09-24-00006-A

**Filing Date:** 2024-06-26

**Effective Date:** 2024-06-26

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 GO Covenant LLC's (GO Covenant) notice of intent to submeter electricity at 550 10th Avenue, New York, New York.

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

**Subject:** Submetering of electricity.

**Purpose:** To authorize GO Covenant's notice of intent to submeter electricity.

**Substance of Final Rule:** The Commission, on June 20, 2024, adopted an order authorizing GO Covenant LLC's (GO Covenant) notice of intent to submeter electricity at 550 10th Avenue, New York, New York. GO Covenant shall, within 60 days of the issuance of the order, certify in writing to the Secretary to the Commission that it accepts the submetering conditions required in the order and the Commission's regulations, and that it has, or will, provide copies of all required notices to its residents and to new ownership or property management as applicable. GO Covenant shall, within nine months of the date of the order, certify that the Quadlogic Controls Corporation's Qbrick 6 submeters have been installed and file such certification in Case 24-E-0001. GO Covenant shall file with the Secretary to the Commission, within nine months of the date of the order, a meter test plan in Case 24-E-0001 and Case 11-M-0710, 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-09-24-00006-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.

(24-E-0001SA1)

## NOTICE OF ADOPTION

### Submetering of Electricity

**I.D. No.** PSC-11-24-00022-A

**Filing Date:** 2024-06-26

**Effective Date:** 2024-06-26

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 2030 Cropsey Ave Lease Holder's (2030 Cropsey) notice of intent to submeter electricity at 2230 Cropsey Avenue, Brooklyn, New York.

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

**Subject:** Submetering of electricity.

**Purpose:** To authorize 2030 Cropsey's notice of intent to submeter electricity.

**Substance of Final Rule:** The Commission, on June 20, 2024, adopted an order authorizing 2030 Cropsey Ave Lease Holder's (2030 Cropsey) notice of intent to submeter electricity at 2230 Cropsey Avenue, Brooklyn, New York. 2030 Cropsey shall, within 60 days of the issuance of the order, certify in writing to the Secretary to the Commission that it accepts the submetering conditions required in the order and the Commission's regulations, and that it has, or will, provide copies of all required notices to its residents and to new ownership or property management as applicable. 2030 Cropsey shall, within six months of the date of the order, certify that the Quadlogic Control Corporation's Qbrick 6 submeters have been installed and file a such certification in Case 23-E-0665. 2030 Cropsey shall, file with the Secretary to the Commission, within six months of the date of the order, a meter test plan in Case 23-E-0665 and Case 11-M-0710, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the March 13, 2024 issue of the Register, I.D. No. PSC-11-24-00022-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-0665SA1)

## INFORMATION NOTICE

### Transfer of the Regulations of the Office of Renewable Energy Siting to 16 NYCRR Chapter XI

PURSUANT TO THE PROVISIONS OF THE Renewable Action through Project Interconnection and Deployment (RAPID) Act, NOTICE is hereby given of the following action:

**Action taken:** By resolution adopting 16 NYCRR part 1100 issued and effective June 26, 2024, the New York State Public Service Commission approved the transfer of the regulations of the Office of Renewable Energy Siting (ORES) from 19 NYCRR former part 900 to 16 NYCRR part 1100.

**Statutory authority:** RAPID Act section 7 (L. 2024, ch. 58, part O).

**Subject:** Procedural and substantive requirements for permit applications for major renewable energy facilities reviewed by ORES.

**Purpose:** To effectuate the transfer of 19 NYCRR former part 900 to 16 NYCRR part 1100 with such conforming changes as are required to reflect the transfer and relocation of ORES to the New York State Department of Public Service as provided in the Act.

Text of the new 16 NYCRR part 1100 is available at the ORES website at <https://ores.ny.gov/regulations>

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Acquisition of the Remaining Stocks of Avangrid Inc.

**I.D. No.** PSC-29-24-00004-P

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

**Proposed Action:** The Commission is considering a petition filed by Iberdrola, S.A. and Avangrid, Inc. for a request for Iberdrola S.A., via a stock acquisition, to obtain all the outstanding shares of Avangrid, Inc. that it does not already own.

**Statutory authority:** Public Service Law, section 70

**Subject:** Acquisition of the remaining stocks of Avangrid Inc.

**Purpose:** To determine whether to authorize the acquisition of all the outstanding shares of Avangrid.

**Substance of proposed rule:** The Commission is considering the petition filed by Iberdrola, S.A. (Iberdrola) and Avangrid, Inc. (Avangrid), on May 31, 2024, for a request for Iberdrola S.A., via a stock acquisition, to obtain all the outstanding shares of Avangrid, Inc.

The Companies request that the Commission expedite the request, approving Iberdrola to reacquire the approximately 18.4% of Avangrid stock that it does not currently own so that Iberdrola again owns 100% of Avangrid’s stock. The petition states that the transaction poses no potential risks to ratepayers because it will not change Avangrid’s or its affiliates’ ultimate ownership or operations.

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

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

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

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

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

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

(24-M-0327SP1)

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

**Proposal to Modify O&R’s EV MRP**

**I.D. No.** PSC-29-24-00005-P

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

**Proposed Action:** The Commission is considering a petition filed by Orange and Rockland Utilities, Inc., (O&R) requesting a modification to the Electric Vehicle (EV) Make-Ready Program (MRP) related to its plug target and unspent budget.

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

**Subject:** Proposal to modify O&R’s EV MRP.

**Purpose:** To avoid disruptions to EV charging infrastructure deployment in the O&R territory.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed by Orange and Rockland Utilities, Inc. (O&R or the Company) on March 27, 2024 (Petition) requesting a modification to the electric vehicle (EV) Make-Ready Program, as approved by the Commission in the Order Approving Midpoint Review Whitepaper’s Recommendations with Modifications (Midpoint Review Order), issued on November 16, 2023 in this proceeding.

O&R also filed a letter in further support of the petition on May 24, 2024 (Letter). O&R proposes to modify the Midpoint Review Order to allow it to fund the installation of additional Level 2 (L2) electric vehicle (EV) chargers.

The Midpoint Review Order approved a maximum budget of \$17.7 million to facilitate the make-ready of 1,546 L2 charging plugs in the O&R service territory through 2025, as described in Appendix D, Table 10 of the Order. The petition and letter explain that the Company has already reached the targeted number of plugs and has expended approximately \$13.3 million of its budget, leaving a balance of \$4.4

million between its actual spend and the budget authorized by the Commission. In the letter, the Company states that it currently has a waitlist of projects, 50 percent of which are located in disadvantaged communities.

The Company requests Commission authorization to continue to contract for L2 plugs using the \$4.4 million balance. The petition states that this proposed change is consistent with New York’s clean energy goals as it will allow more charger availability for the public and will support deployment of EV chargers in disadvantaged communities. The Company requests to continue the flexibility to set incentive levels in order to allow for the installation of more L2 chargers for the same amount of money.

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

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

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

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

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

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

(18-E-0138SP16)

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
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.
ENV-29-24-00006-P .....	Criteria for the Decommissioning of Radioactive Material Licensed Sites	Virtual via Webex—September 17, 2024, 2:00 p.m. Virtual via Webex—September 17, 2024, 6:00 p.m. Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 384 by July 17, 2024. The proposed regulations webpage for 6 NYCRR Part 384 may be accessed at: <a href="https://www.dec.ny.gov/regulations/proregulations.html">https://www.dec.ny.gov/regulations/proregulations.html</a> Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 384 public comment hearing. Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received by September 4, 2024, but DEC will make every effort to fulfill requests received closer to the hearing date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), or by e-mail ( <a href="mailto:language@dec.ny.gov">language@dec.ny.gov</a> ).
<b>Long Island Power Authority</b>		
LPA-29-24-00003-P .....	IEDR Limitation of Liability	H. Lee Dennison Building, Hauppauge, NY—September 16, 2024, 10:00 a.m. Long Island Power Authority, Uniondale, NY—September 16, 2024, 6:00 p.m.
<b>Public Service Commission</b>		
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 ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) 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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>0001</b>	<b>P</b>

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

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

AAM-16-24-00002-P	..... 04/17/25	Repeal of TB testing prior to intrastate movement of deer regulation, and removal of cross references to said regulation	The purpose of this rule is
AAM-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)
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**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
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-36-23-00023-P	09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
CFS-18-24-00023-P	05/01/25	Trafficking Victims	To conform regulations to Public Law 117-348, The Trafficking Victims Prevention and Protection Reauthorization Act of 2022
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
CJS-16-24-00004-P	04/17/25	Registration of certain firearms, rifles, shotguns, finished frames or receivers, and unfinished frames or receivers	To provide for a registry of firearms, shotguns, finished or unfinished frames or receivers serialized per Penal Law 265.07
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
<b>EDUCATION DEPARTMENT</b>			
*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
<b>EDUCATION DEPARTMENT</b>			
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
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-46-23-00007-P	01/16/25	Subpart 220-1, Portland Cement Plants Subpart 220-3, Asphalt Pavement Manufacturing Plants	220-1 will be updated to reflect current Federal requirements. 220-3 will established control requirements for asphalt plants
ENV-49-23-00007-P	02/05/25	1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products	Implement the maximum allowable concentrations of 1,4-dioxane as set forth in Article 35 and Article 37 of the ECL
ENV-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
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
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
ENV-29-24-00006-P	09/17/25	criteria for the decommissioning of radioactive material licensed sites	ensure DEC's regulations are equivalent to and compatible with regulations of the Nuclear Regulatory Commission.
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value
DFS-08-24-00001-P	02/20/25	Network Adequacy and Access Standards	To establish network adequacy and access standards and other protections to improve access to behavioral health services

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
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-29-24-00007-P	07/17/25	Principle-Based Reserving	To adopt the 2024 Valuation Manual.
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-29-23-00004-P	07/18/24	Attending veterinarian examinations in Thoroughbred racing	To decrease the risks of injury to racehorses
SGC-25-24-00003-P	06/18/25	Whip use in harness racing	To promote the health and safety of racehorses
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-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
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

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<b>HEALTH, DEPARTMENT OF</b>			
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.
<b>HIGHER EDUCATION SERVICES CORPORATION</b>			
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
<b>LABOR, DEPARTMENT OF</b>			
LAB-37-23-00003-P	09/12/24	Pay Transparency in Job Advertisements	To increase pay transparency in job advertisements pursuant to Labor Law § 194-b
LAB-18-24-00002-P	07/02/25	Injury and Illness Reporting and Recordkeeping Requirements	To adopt updates to OSHA regulations regarding reporting and recordkeeping requirements as required by law
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
<b>LAW, DEPARTMENT OF</b>			
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
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff fo	To update the small generator interconnection procedures consistent with Public Service Commission guidance
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
LPA-29-24-00003-P	..... exempt	IEDR Limitation of Liability	LIPA proposes to modify the Tariff to limit liability consistent with tariff amendments filed by the Joint Utilities.

**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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
MTV-36-23-00031-RP	12/04/24	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
<b>NIAGARA FALLS WATER BOARD</b>			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
<b>NIAGARA FRONTIER TRANSPORTATION AUTHORITY</b>			
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
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
PDD-29-24-00002-P	07/17/25	Specialty Hospitals	To clarify requirements and better meet needs of individuals with I/DD seeking treatment at specialty hospitals
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
<b>PROSECUTORIAL CONDUCT, COMMISSION ON</b>			
CPC-17-24-00010-P	04/24/25	Operating Rules and Procedures	To provide the operating rules and procedures for the Commission on Prosecutorial Conduct

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC EMPLOYMENT RELATIONS BOARD</b>			
PRB-29-24-00001-P	07/17/25	Clarification of PERB's Rules of Procedure.	To clarify that Section 263.34 of PERB's Rules of Procedure comports with the First Amendment and relevant case law.
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms
*PSC-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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
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
<b>PUBLIC SERVICE COMMISSION</b>			
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
<b>PUBLIC SERVICE COMMISSION</b>			
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-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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-09-24-00007-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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-11-24-00023-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
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



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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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 Corning's authorized budget
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
PSC-29-24-00004-P	..... exempt	Acquisition of the remaining stocks of Avangrid Inc.	To determine whether to authorize the acquisition of all the outstanding shares of Avangrid.
PSC-29-24-00005-P	..... exempt	Proposal to modify O&R's EV MRP.	To avoid disruptions to EV charging infrastructure deployment in the O&R territory.

**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
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-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
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-12-24-00007-P	..... 03/20/25	See attached Addendum #2	See attached Addendum #3
<b>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY</b>			
TBA-52-23-00001-P	..... exempt	A proposal to establish a new toll rate schedule for use of the central business district under the CBDTP operated by TBTA	A proposal to reduce traffic congestion in a manner that will generate revenue for future transportation improvements
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
<b>VICTIM SERVICES, OFFICE OF</b>			
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

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## STATE NOTICES

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

## DEALERS; BROKERS

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Allied Land Fund 2, LLC  
3218 E Bell Rd., Unit 1037, Phoenix, AZ 85032  
*State or country in which incorporated* — Texas

Banner Willow Member, LLC  
300 S. Riverside Plaza, Suite 1250, Chicago, IL 60606  
*State or country in which incorporated* — Delaware

Bunzl Public Limited Company  
York House, 45 Seymour St., London W1H 7JT United Kingdom  
*State or country in which incorporated* — England and Wales

First Eagle Private Credit Fund  
1345 Avenue of the Americas, New York, NY 10105  
*State or country in which incorporated* — Delaware

Performance Trust Capital Partners, LLC  
500 W. Madison St., Suite 450, Chicago, IL 60661  
*State or country in which incorporated* — Illinois





# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### REHABILITATE ROADWAYS

Perry B. Duryea State Office Building  
Hauppauge, Suffolk County

Sealed bids for Project No. 47403-C, comprising of a contract for Construction Work, Rehabilitate Roadways, Perry B. Duryea State Office Building, 250 Veterans Highway, Hauppauge (Suffolk County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, July 31, 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 \$73,800 for C).

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

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

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 245 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on July 19, 2024, Perry B. Duryea State Office Building, 4th Floor Office, 250 Veterans Highway, Hauppauge, 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 Arthur Hildenbrand (631-952-4973), a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

## REPLACE ROOF

New York City Children's Center  
Bellerose, Queens County

Sealed bids for Project No. 47439-C, comprising of a contract for Construction Work, Replace Roof, Building 57, New York City Children's Center - Queens Campus, 7403 Commonwealth Boulevard, Bellerose (Queens County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, July 31, 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 \$89,500 for C).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$3,000,000 and \$4,000,000 for C.

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

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 666 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on July 18, 2024, at New York City Children's Center, Building 57, 7403 Commonwealth Boulevard, Bellerose, 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 Bibi Bacchus (718-776-444) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 3 of the Veteran's Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 6% for the C trade contractor, 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**  
**ABATEMENT/PARTIAL DEMOLITION**  
 Jones Beach State Park  
 Wantagh, Nassau County

Sealed bids for Project No. 47702-C, for Construction Work, Provide Abatement & Partial Demolition, East Bathhouse, Jones Beach State Park, Wantagh (Nassau County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Parks, Recreation & Historic Preservation, until 2:00 p.m. on Wednesday, July 31, 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 \$600,100 for C).

Further, Project Labor Agreement (PLA) Projects require a completed form BDC 59P (Project Labor Agreement List of Subcontractors) be filled out and submitted in accordance with Document 002221, Supplemental Instructions to Bidders – PLA. Failure to submit this form correctly will result in a disqualification of the bid.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract, estimated to be between \$20,000,000 and \$30,000,000 for C.

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

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 227 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed,

along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on July 18, 2024, or July 19, 2024, Jones Beach State Park, 3000 Ocean Parkway, East Bathhouse, Wantagh, 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 Bibi Bacchus (718-776-4441) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group



# MISCELLANEOUS NOTICES/HEARINGS

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## Notice of Abandoned Property Received by the State Comptroller

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

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

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

## PUBLIC NOTICE

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

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

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

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

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

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

Beneficiary Name Beneficiary City

Aaron Bradshaw, Estate Of BALDWINSVILLE

Abrams, Estate of Edward HIGHLAND

Abramson, Philip Roy BOCA RATON

Adams Jr, Richard T SETAUKET

ADAMS, COREY G VIRGINIA BEACH

Adams, James E NEW BERN

Adams, Michael J ORMOND BEACH  
Albert Lewis, Estate of new York  
Alcide, Estate of Arthur MONROE  
Alessi, Estate of Gary J ROCHESTER  
Alfreda Cartledge, Estate of ATLANTA  
Anderson, Estate of David E ORISKANY  
Angelo, Barbara F ELMIRA  
Angelo, Rocco J ELMIRA  
ANN KOPPER, ESTATE OF Hyde Park  
ANTOINETTE ALIMENA, ESTATE OF ANDOVER  
Audrey J Meunkle, Estate of BRONX  
Avery, Neil N CONSTABLE  
Bailey Jr, Kenneth B N SYRACUSE  
Barbieri, May M SARASOTA  
BARD, CLIFFORD V SCHENECTADY  
Behrens, Kati L ARVADA  
Belmonte, Estate of Vito DELRAY BEACH  
Bennett, Estate of Catherine LEVITTOWN  
Bennem, Estate of Janet W BROCKPORT  
Betty J Dickinson, Estate of HUDSON FALLS  
Beverly Tucker, Estate of BUFFALO  
Bingaman, Estate of Burnell Albion  
Birmley, Maureen A PORT ORANGE  
Bish, Estate of Adelaide WILLSEYVILLE  
Blakeslee, Estate of Rosemary COLUMBUS  
Bliss, Judi L BALDWINSVILLE  
Bohn Jr, Fred WACO  
Bohn, Matthew S SAN MARCOS  
Bouchard, Robert John CANTON  
Boyd, Estate of Catherine J DENVER  
Brady Jr, Wilbur J ALBANY  
Brayton, Estate of Harold R FORT EDWARD  
Brayton, Jeffery H FORT EDWARD  
Brewer, Estate of Jurgen K MIDDLETOWN  
Brooks, Estate of Elvira POINCIANA  
Brown, Ian M SOUTH AMBOY  
Brown, Kendra N SOUTH AMBOY  
Brown, Sean OAKLAND  
Bruno, Estate of Josephine EAST MEADOW  
Buckley, Estate of Mary Alice North River  
Buel, Estate of Leslie A Phelps  
Buell, Estate of Agnes H NORTHVILLE  
Cales, Israel MARGATE  
Caputo, Estate of Edward CASTLETON  
Carol M VanAmburgh, Estate of LOUDONVILLE  
Caroline Vicsonti, Estate Of Farminigdale  
Caros, Estate of Helen C Lancaster  
Caskey, Estate of Gloria Silver Springs

Cassada,Estate of Sarah R ODEN  
Catherine Seifert,Estate Of SOUTH ORANGE  
Caton,Estate of William PHOENICIA  
Charles R Dailey,Estate of VENICE  
Chemaly,Linda Sue ROCKLIN  
Chmielewski,Estate of Helen Danko Schenectady  
Chmielinski,James MONTEREY  
Chmielinski,Luke ALBANY  
Cicatelli,John BOKEELIA  
Clancy,James E TROY  
CLYDE JOHNSON,ESTATE OF Lisle  
Cooper,Charles Alvin HAUPPAUGE  
Cooper,Jennifer BAINBRIDGE  
Corbitt Jr,Estate of John W Albany  
Corbitt,John C ALBANY  
Coria,JoAnn O SYRACUSE  
Coulston Jr,Willie NATCHEZ  
Coulston Phipps, Virginia NATCHEZ  
Coyle,Catherine M POWDER SPGS  
Craft,Estate of Nancy M ERIEVILLE  
Crawford,Estate of Freddie ELIZABETHTON  
Cronin,Joanne PLYMOUTH  
Cronin,Steven PLYMOUTH  
Cuciti,Joann WEST PALM BCH  
Currier,Estate of Mildred NEW HARTFORD  
Cush,Estate of Deloris M Hamler  
Cynthia Moore,Estate of PAINTED POST  
D'Ippolito,Jennifer NEW YORK  
Dagmar Arnold,Estate of Crossville  
Dale Sexton,Estate of ROME  
Daniel J McLoughlin,Estate of AMSTERDAM  
Dawson,Estate of William R MOUNT DORA  
Dempsey Jr,Estate of George R ROXBURY  
Denison,Alice Mcguire TRUXTON  
DeRosa,Ernest Dean MIDDLETOWN  
Desale,Estate of Aaron A PORT ST LUCIE  
Devito,Carmela WEST ISLIP  
Diana Hinze,Estate of Bloomfield  
Diane R Gancasz,Estate of N TONAWANDA  
DiMarino,Lisa SAN JOSE  
Dobbins,Mikisha D GADSDEN  
Dobbins,Raheam Maurice CENTRE  
Dolan,Alice T CUDDEBACKVLLLE  
Dosiak,John W MANORVILLE  
Doster,Estate of Brenda J CHEEKTOWAGA  
Douglas,Estate of Bertha Lee ROCHESTER  
Drescher,Estate of Hannah BROOKLYN  
Duane Whiteman,Estate of CORTLAND  
Edward K Pincus,Estate of NEW YORK  
Eggleston,Estate of Winifred M ELBRIDGE  
Eladia Coniglio,Estate of Clermont  
ELEANOR SCHREINER,ESTATE OF VALLEY STREAM  
Elliott,William P GRAHAM  
Elvira Leteria,Estate of VLY COTTAGE  
Ernestine Graham,Estate of GWYNN OAK  
Falcone,Anna Marie WHITE PLAINS  
Falcone,Joseph Anthony BASALT  
Ferguson,Sara Louise READING  
Fiero,Douglas W LEXINGTON  
Fil,Estate of Frank P MIDDLETOWN  
Filippone,Estate of Veronica YARDLEY  
Finbar,Gregory TOLEDO  
Finnefrock,Estate of Caroline M UTICA  
Fire,Estate of Dorothy SYRACUSE  
Fischer,Mary Ellen WATERTOWN  
Fitzmaurice,Mark WHITE PLAINS  
Fitzmaurice,Michael WHITE PLAINS  
Fitzmaurice,Thomas WHITE PLAINS  
Fletcher,Ronald L CHARLOTTE  
Foley,Rose Ann WATERTOWN  
Foster,Earnestine BUFFALO  
Fowle,Estate of Donald W LAKE MARY  
Frank Sparacia,Estate of GLENDALE  
Fredel,Estate of Barbara J SEA CLIFF  
Fredrich,Wally Niagara Fals  
Freund,Gail K HIGHMOUNT  
Fye III,Lawrence BROOKLYN  
Fynboe,Estate of Roy C FORT PIERCE  
Fynboe,Scott C FORT PIERCE  
Gallant,Estate of Paul SCHENECTADY  
Gardner,Estate of Bonnie L OGDENSBURG  
Gautille,Richard WEST CHESTER  
Geraghty,Raymond SUN CITY CTR  
Gloria E Peterson,Estate of AVON LAKE  
Goffe,Albert VERPLANCK  
Gooch,Betty J BOWDON  
Gorthey,Margaret E FORT EDWARD  
Greco,Anthony BUFFALO  
Greco,Sandra BUFFALO  
Hanrahan,Estate of John M DANBURY  
Harris,Estate of Gene W NEW BEDFORD  
Harris,Jameesha S NEW BERN  
Haydon,Sharon CENTERVILLE  
Heart Assoc,Catt Co OLEAN  
Heins,Estate of Patricia A CLINTON  
Helen D Kubicki,Estate of LANCASTER  
Henry,Olive G BROOKLYN  
Hillenbrandt,Estate of George SCHENECTADY  
Hilliker,Estate of Maureen F FREDONIA  
Holmes,Marian BUFFALO  
Howells,Estate of William R STROUDSBURG  
Huff,Estate of Melvin TARBORO  
Hutton,Estate of Charlotte R Hilton  
Irvine,Joann Masone WOODSTOCK  
Jackson,Estate of Gussie Mae ROCHESTER  
Jacobs,Alonzo J BAY SHORE  
Jaffee,Ellen C SUFFERN  
Jane Nichols,Estate of WILSON  
JANET MC ENTEE,ESTATE OF KNOXVILLE  
Jeffeaux,Marlee TRAVELERS RST  
Joan A Koechlin,Estate of Schenectady  
Johnson,David LINDENHURST  
JOHNSON,ESTATE OF PAULINE M TICONDEROGA  
Jones,Kylie M CONWAY  
Josephine A Metro,Estate of Niagara Falls  
Judith Ruschak,Estate of Auburn  
Kanige,Kenneth C BOCA RATON  
Karges,Georgene NESCONSET

Katzenstein,Jonathan PORTSMOUTH  
 Katzenstein,Michael NEW YORK  
 Keane,Evelyn KINGS PARK  
 Keller,Robert J LOCKPORT  
 Kershenski,Walter BATAVIA  
 Kinsey,Mannix CHARLOTTE  
 Kliebhan,Michael S SARASOTA  
 Knapp,Estate of Theresa ROCHESTER  
 Knox,Estate of Georgia Levonna Springfield  
 Kucharski,Estate of Brian Roseville  
 Ladue III,Joseph Isacc TUPPER LAKE  
 Lang Jr,Estate of John A ALBANY  
 Lavoro,Georgia F EAST SETAUKET  
 Lavoro,Ralph N MASSAPEQUA  
 Lee,Dulae PLATTSBURGH  
 Leonard Drajem Sr,Estate of WEST SENECA  
 Lewis,Susan M STATEN ISLAND  
 Liso,Estate of Robert E HENRICO  
 Locke,Estate of Kurt J BLUE MTN LAKE  
 Loper,Estate of Barbara A CTR MORICHES  
 Lorenz Sr,Estate of Douglas R Rocky Point  
 Louis F Snyder,Estate Of Bath  
 LOUIS PERRY,ESTATE OF LAKE KATRINE  
 Lustig,Amanda Ross SIMSBURY  
 Lynch,Estate of Wilma Northport  
 Maggio,Estate of Richard Anthony North Huntingdon  
 Mahar,Estate of Robert J GLENMONT  
 Mameli,Estate of Ann Milford  
 Mann,Tinell ELLENVILLE  
 Mante,Carlton Fred BERGEN  
 Marcelle Muniak,Estate Of CLIFTON PARK  
 Marchione,Tiffany STATEN ISLAND  
 Marcus D Stokes,Estate of BUFFALO  
 Margeson,Estate of Gertrude WOODHULL  
 Maria Spalma,Estate of CAPE CORAL  
 Marie Therriault,Estate of WILTON  
 Marks,Estate of Barbara NEW YORK  
 Marta Mlynaryk,Estate of CHARLOTTE  
 Martin,Daniel D BUFFALO  
 Mary Ellen Brady,Estate of SAND LAKE  
 Mary L Colon,Estate of AMSTERDAM  
 Mary Vavricka,Estate Of MYRTLE BEACH  
 Marylyn Ann Minard,Estate of Carlyle  
 Matthews,Catherine C POUGHKEEPSIE  
 Matthews,Faith DAYTON  
 Mc Master,Douglas T BRIDGEPORT  
 McGee,Estate of Agnes T MARCY  
 Mehlenbacher,Estate of Burl COHOCTON  
 Meyers,Estate of Joan NIAGARA FALLS  
 Micalizzi,Estate of Barbara Ann PATTERSON  
 Michael B.Phillips,Estate of Cohoes  
 Miller,Kendra FORT WORTH  
 Minnick,Estate of Merry Lou LAUREL  
 MIRABELLA,PATRICIA PORT ORANGE  
 Monte Hayden,Estate of Bradenton  
 Monzon,Estate of Lynne M Holmes  
 Mora,Estate of Josephine Westbrookville  
 Morgan,Pamela J PERTH AMBOY  
 Morris,Milton NEW YORK  
 Mullee,Eileen A WEST BABYLON  
 Murphy,Matthew B SHERBURNE  
 Murphy,Trudi Lynn ROCHESTER  
 Nagle,Hailly FORT COLLINS  
 Naumann,Janet Anne WEST CHESTER  
 Naumann,William Russell WEST CHESTER  
 Near,Estate of Herbert PHILMONT  
 Ned A Lippoff,Estate Of ALBANY  
 Nervina,Lynn AUBURN  
 Newkirk,Daniel T ULSTER PARK  
 Nicholas Beach,Estate of ROME  
 Nicholas,Andre D BRONX  
 Niederlander,Estate of Gloria MONROE  
 O'Sullivan Jr,John YORKTOWN HTS  
 O'Sullivan,Brian LEVITTOWN  
 Odum,Arlene C LORTON  
 Olive E Tamburro,Estate of GREENE  
 Owens,Estate of Shirley J MONTICELLO  
 Palumbo,Toniann M YONKERS  
 Patricia Hoen,Estate of HAMBURG  
 Patricia L Mclauchlin,Estate of Thief River Falls  
 Paul,Kevin M SPRNGFLD GDNS  
 Pauline Behar,Estate of Aarlington  
 Pearson,Estate of Margaret P South Hadley  
 Peek,Patricia M HORSEHEADS  
 Pelletier,Denise SCHUYLERVILLE  
 Pelletier,Robert Joseph NASSAU  
 Phillips,Joshua S NEW PRT RCHY  
 Piniewski,Estate of Cheryl A WEST DOVER  
 Piper,Sara ORLANDO  
 Pisani,Estate of Jocelyn A BABYLON  
 Pratt,Robin D ETOWAH  
 Pugliese,Miriam BROOKLYN  
 Purcell,Pamela J NEW HARTFORD  
 Queener,Monica AMHERST  
 Queener,William BUFFALO  
 Ralph V D'Ippolito,Estate of YONKERS  
 Ramon W Barrett,Estate of VOORHEES  
 Ray,Christopher ATHENS  
 Raymond A Miller,Estate of ROUND TOP  
 Reid,William P PALM SPRINGS  
 Repko,John M LATHAM  
 Revocable,Koide Family 2019 Hamilton  
 Richard H Gustafson,Estate of OVIEDO  
 Robbins,Estate of Irene LACONA  
 Robbins,Estate of Stoyell M COCOA  
 Robinson,Shatemia SYRACUSE  
 Robinson,Shelisa N SYRACUSE  
 Rosa,Aidan L BROOKLYN  
 Rosa,Denisha E JAMAICA  
 Rosenfeld,Alan D YACHATS  
 Rosmarino,Kathryn A RALEIGH  
 Ryan,Estate of Regina V ROCKY POINT  
 Ryan,Heather S WAYLAND  
 Satterlee,Estate of Robert J NORTHVILLE  
 Sbaglia,Marilyn ROME  
 Schigotzki,Estate of Mary A KENT  
 Schneider,Marianne RIVERHEAD  
 Schonwetter,Estate of Seymour MINNEAPOLIS

Schultz,Estate of Thomas E LOWVILLE  
 Schwab,Estate of Frederick MANORVILLE  
 Secoolish,Estate of Maragret Binghamton  
 Sedler,Alene BOHEMIA  
 Shapiro,Jeffrey L VIENNA  
 Shapiro, Lee D MINEOLA  
 Shilo,Janice ROCHESTER  
 Shilo,Paul ROCHESTER  
 Simek,Jennifer ALBRIGHTSVLLE  
 Sloane Jr,Estate of Gerald G PHILMONT  
 Smith,Christopher P BUFFALO  
 Solomon,Stephanie M BUFFALO  
 Soper,Estate of C Elizabeth HARTSVILLE  
 Spath,Estate of Anna CLARKSVILLE  
 Spiatz,Tonya ANGOLA  
 Spry,Estate of Elaine E SALAMANCA  
 Stanley J Krutulis,Estate of Syracuse  
 Stanton,Edward LAKE VIEW  
 Stanton,Elizabeth BUFFALO  
 Stanton,Shanna HAMBURG  
 Staropoli,Maria J NEW ROCHELLE  
 Stevenson,Randee L MIDDLETOWN  
 Stoops,David Paul SOMERVILLE  
 Stoops,Matthew J HUNTERSVILLE  
 Sullivan,Kathleen L BALDWINSVILLE  
 Summa,Maureen RYE  
 Swotkewicz,Estate of Jeanette E JAMESPORT  
 Taylor,Wendy GRAYSON  
 Terricola,Estate of Vincenza M ILION  
 Tessler,Shelley SYOSSET  
 Thomas Scarry,Estate of HARRISON  
 Thomas,Anju WARREN  
 Thomas,Estate of Catherine REMSEN  
 Trimble,John Henry SAN DIEGO  
 Tubiolo,Anthony BUFFALO  
 Turkel,Jeffrey SUNRISE  
 Underwood,Alison Marie WEYBRIDGE  
 Underwood,Katie Lynn STOWE  
 Valentine,Maureen BURLESON  
 Vandermark,Estate of Marvin L JOHNSON CITY  
 VanWaldick,Stacey L VERMONTVILLE  
 Vera Green,Estate of CAMPBELL HALL  
 Verdi,Lawrence TOMBALL  
 Villegas,Estate of Frances WARWICK  
 Vinolus,Tina Orchard Park  
 Volin,Estate of Saul NEW YORK  
 Vullo,Estate of Margaret M Cattaraugus  
 Washington,Estate of Ethel NEW YORK  
 Welch,Estate of Patricia ST JOHNS  
 Wheeler II,Maynard A GEORGETOWN  
 Wheeler,Estate of Helen D VALRICO  
 White,Estate of Carol Ann HICKSVILLE  
 White,Estate of Robert H CENTEREACH  
 Wilcox,Estate of Nancy C WARWICK  
 Wilkins,Heather RUCKERSVILLE  
 Williams,Estate of Jimmie Sanford  
 Wilma Wilsea,Estate of Canandaigua  
 Womack,Andrea S YONKERS  
 Young,Daryl L HARTSDALE

Zhang,Kari FORT WORTH

## PUBLIC NOTICE

Department of State  
 F-2023-0733

Date of Issuance – July 17, 2024

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

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

In F-2023-0733, the applicant, New York Police Department Narcotics Division, is proposing to remove an existing wave attenuator and install a new attenuator in its place composed of (50) 36" diameter steel piles spaced 8' on center in a "C" shape. 24" steel pipe piles will be set into larger 36" piles and grouted together, then wales and timber facing of the attenuator will be installed. This project is located at 109-00 14th Avenue, Queens, Queens County, Flushing Bay.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/07/f-2023-0733.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- New York City Local Waterfront Revitalization Program:

<https://dos.ny.gov/location/new-york-city-local-waterfront-revitalization-program>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or August 16, 2024.

*Comments should be addressed to:* Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov)

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

## PUBLIC NOTICE

Department of State  
 F-2024-0317

Date of Issuance – July 17, 2024

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

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

In F-2024-0317, the applicant, John Rosinski, is proposing to remove a portion of the existing wall around the boathouse dock to provide access and will construct an 8' x 30' dock extension off the existing approx. 44' x 43' boathouse. Dock extension will be supported by (6) 6" steel pilings. This project is located at 15680 Maple Island, Town of Clayton, Jefferson County, St. Lawrence River.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/07/f-2024-0317.pdf> or at <https://dos.ny.gov/public-notices>



The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Town of Clayton Local Waterfront Revitalization Program:

<https://dos.ny.gov/location/town-and-village-clayton-local-waterfront-revitalization-program>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or August 16, 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-2024-0410 (DA)

Date of Issuance – July 17, 2024

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

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

In F-2024-0410 (DA), the U.S. Army Corps of Engineers, Buffalo District is proposing to repair an approximately 100-foot-long section of the Buffalo West Breakwater by constructing a rubblemound stone overlay along the lakeward side of the existing West Breakwater from Station 5+00 to 6+00, with tie-ins to the existing structure at each end. Project is located within the Buffalo Harbor, City of Buffalo, Erie County, Lake Erie.

The agency’s consistency determination and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/07/f-2024-0410.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- City of Buffalo Local Waterfront Revitalization Program:

<https://dos.ny.gov/location/city-buffalo-local-waterfront-revitalization-program>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30-days from the date of publication of this notice, or August 16, 2024.

*Comments should be addressed to:* New York State 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  
Notice of Program Change  
Village of Croton-on-Hudson

Local Waterfront Revitalization Program Amendment

PURSUANT to 15 CFR 923, the New York State Department of State (DOS) has submitted a program change to the federal Office of Coastal Management (OCM). The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the amendment to the Village of Croton-on-Hudson Local Waterfront Revitalization Program (LWRP) into the State’s CMP. The program change is the LWRP as approved by the state. The LWRP includes enforceable policies that will be used for Coastal Zone Management Act review purposes.

A major component of the State’s CMP is the provision that local governments be allowed to amend Local Waterfront Revitalization Programs, which further detail and make geographically specific the State’s coastal policies. Each amended LWRP is reviewed for consistency with the State’s CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The amendment to the Village of Croton-on-Hudson LWRP was prepared in partnership with the New York State Department of State and serves as a long-term management program for the waterfront resources of the Village. The Village of Croton-on-Hudson LWRP amendment retains the existing State Coastal boundary which includes waterfront lands along the Hudson and Croton Rivers within the Village’s boundaries.

The LWRP Amendment provides a detailed inventory and analysis of the Village of Croton-on-Hudson Waterfront Revitalization Area (WRA), including natural resources, historic and cultural resources, existing land and water uses, harbor management, and important economic activities, as well as issues and opportunities for future development. The State coastal policies and accompanying explanations are comprehensive and determine the appropriate balance between economic development and preservation that will permit beneficial use of, and prevent adverse effects on, the waterfront resources of the Village. The LWRP amendment also describes the existing land uses and controls in the Village of Croton-on-Hudson that are accommodated in the waterfront revitalization area under the Village of Croton-on-Hudson Zoning Law. To implement the policies and purposes of the LWRP amendment, the Village updated their Waterfront Consistency Review Law. The Waterfront Consistency Review Law establishes a clear management structure to assure that local actions are reviewed for consistency with the provisions of the LWRP amendment.

To advance the waterfront revitalization goals of the Village, the LWRP identifies 11 projects to advance the Village’s waterfront revitalization goals including facilitating public access to the Hudson and Croton Rivers, protecting water quality and enhancing recreational resources. Recommended projects vary but generally focus on recreational and environmental enhancements, and collaborative efforts to support economic development.

The draft LWRP Amendment was circulated by the New York State Department of State to potentially affected State, federal, and regional agencies from April 5, 2023 to June 5, 2023. A public notice was published on April 5, 2023 in the New York State Register announcing the review period. Revisions addressing the comments received during the 60-day review were subsequently made to the LWRP, as necessary. The amendment to the Village of Croton-on-Hudson LWRP was adopted by resolution by the Village of Croton-on-Hudson Village Board of Trustees on August 14, 2023 and approved by the New York State Secretary of State on March 26, 2024 pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

The Village of Croton-on-Hudson Local Waterfront Revitalization Program Amendment and this public notice are available on the NOAA Coastal Zone Management Program Change website under File Number NY-2024-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

The Village of Croton-on-Hudson Local Waterfront Revitalization Program Amendment and this public notice are also available on the New York State Department of State's website at: <https://dos.ny.gov/location/village-croton-hudson-local-waterfront-revitalization-program> and <https://dos.ny.gov/public-notices>

Any comments on this program change to the State's approved Coastal Management Program should be submitted directly to the NOAA Office of Coastal Management on NOAA's Program Change website under File Number NY-2024-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

Written hard copy comments may be submitted to Joelle Gore, Office for Coastal Management, National Oceanic and Atmospheric Administration, 1305 East-West Highway, Silver Spring, MD 20910

Comments will be accepted by OCM for three weeks (21 days) following the date of the publication of this notice on July 17, 2024.

*Further information on this program change may be obtained from:* Lisa Vasilakos, Office of Planning and Development, Department of State, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001; [lisa.vasilakos@dos.ny.gov](mailto:lisa.vasilakos@dos.ny.gov)

## 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.

2024-0323 Matter of AB Designari LLC, Ari Begun, 364 Mulry Lane Unit 2, Lawrence, NY 11559, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 349 W. Valley Stream Blvd., Village of Valley Stream, County of Nassau, State of New York.

2024-0325 Matter of Dwayne Baldwin, 21 Dow Street, Islip, NY 11722, for a variance concerning safety requirements, including height under project. Involved is an existing dwelling located at 21 Dow Street, Town of Islip, County of Suffolk, State of New York.

2024-0326 Matter of Mark Anthony Architects, Mark Anthony Munisteri, 1563 Bellmore Avenue, Bellmore, NY 11710, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing dwelling located at 102 Old Farm Road South, Town of North Hempstead, County of Nassau, State of New York.

2024-0330 Matter of Permits R Us, Salvatore Coscia, 338 Jericho Turnpike #396, Syosset, NY 11791, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing dwelling located at 2 Harmony Court, Town of Oyster Bay, County of Nassau, State of New York.

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2024-0327 In the Matter of Edward Y. Crossmore of Crossmore & Tiffany Attorneys and Counsels, 115 West Green Street, Ithaca, New

York for a variance concerning emergency vehicle access, driveway at a multi-family resident located at 504 East Buffalo Street, City of Ithaca, County of Tompkins, State of New York.

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2024-0328 In the Matter of Sharpe Home Designs LLC, Sheldon Sharpe, 1767 Central Avenue, Suite 315, Yonkers, NY 10710, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 123 Edgepark Road, Town of Greenburgh, County of Westchester, State of New York.

2024-0329 In the Matter of Gabrielle Salman Architect, Gabrielle Salman, 467 Bedford Road, Suite 169, Pleasantville, NY 10570, for a variance concerning safety requirements, including fire sprinkler system. Involved is a multi family dwelling located at 81 N. Washington Street, Village of Tarrytown, County of Westchester, State of New York.