
NEW YORK STATE
REGISTER

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

For notices published in this issue:

- the 60-day period expires on October 20, 2024
- the 45-day period expires on October 5, 2024
- the 30-day period expires on September 20, 2024

**KATHY HOCHUL
GOVERNOR**

**WALTER T. MOSLEY
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE
REGISTER

Be a part of the rule making process!

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

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

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

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

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

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

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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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RULE MAKING ACTIVITIES

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

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

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

Department of Agriculture and Markets

NOTICE OF ADOPTION

Maximum Permitted Fees

I.D. No. AAM-20-24-00001-A

Filing No. 680

Filing Date: 2024-08-06

Effective Date: 2024-08-21

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

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

Statutory authority: Agriculture and Markets Law, sections 16, 18 and 179

Subject: Maximum permitted fees.

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

Text or summary was published in the May 15, 2024 issue of the Register, I.D. No. AAM-20-24-00001-P.

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

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

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 Department solicited public comment relating to the proposed amendments to 1 NYCRR Part 220, which, as drafted, would increase the permitted fees for calibrating, inspecting, and testing weighing and measuring devices, and introduce fees for the inspection and testing of electric vehicle (EV) charging stations.

The Department received one written comment supporting the \$100 testing fee for EV Direct Current Fast Charger (DCFC) chargers, however, proposes a separate and reduced fee of \$25 for Level 2 Alternating Current (L2) EV charger testing. The commentor indicated that a lower fee is justified because there is a lower cost to acquire L2 charger testing equipment than the testing equipment needed for DCFCs, and L2 chargers are more prevalent than DCFCs in New York State. The commentor stated the proposed \$100 testing fee for EV chargers would be detrimental to the goal of incentivizing the purchasing of electric vehicles.

The Department does not have a minimum testing requirement for EV chargers, and currently plans to test a percentage of the chargers annually, as well as any chargers for which the Department has received complaints or under circumstances where the Department has reason to believe performance is substandard. Further, the current testing plan will not re-test a particular device until the remainder of the related devices have been tested. The Department will also only test publicly accessible commercial devices that charge customers for the energy they purchase. Therefore, the Department anticipates only a small percentage of locations being randomly tested at a given time. Due to these testing protocols, it is not anticipated that the testing regimen will result in materially higher costs.

With respect to labor and testing costs, the Department currently requires that all testing equipment used has the capability to test both L2 and DCFC chargers, and therefore there is no additional cost to acquire testing equipment based on type of charger. In fact, under current technologies, testing of L2 chargers is more time consuming than testing DCFC chargers. However, the Department has determined that setting one fee will be simpler to administer and would reduce the amount of staff resources required. Further, the current fee only partially covers the Department's testing costs and is consistent with other states that have EV charger testing programs.

Accordingly, the Department finds that the proposed \$100 fee for testing both the L2 and DCFC charging devices is reasonable and does not require modification.

NOTICE OF ADOPTION

Control of the European Cherry Fruit Fly (ECFF)

I.D. No. AAM-22-24-00003-A

Filing No. 677

Filing Date: 2024-08-06

Effective Date: 2024-08-21

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

Action taken: Amendment of Part 128 of Title 1 NYCRR.

Statutory authority: Agriculture and Markets Law, sections 18, 164 and 167

Subject: Control of the European Cherry Fruit Fly (ECFF).

Purpose: To expand the ECFF quarantine to include additional counties.

Text or summary was published in the May 29, 2024 issue of the Register, I.D. No. AAM-22-24-00003-EP.

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

Text of rule and any required statements and analyses may be obtained from: Christopher Logue, Director, Division of Plant Industry, New York State Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12205, (518) 457-2087, email: Plants@agriculture.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.

Department of Audit and Control

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Procedure to Determine Disability Retirement Applications Under Articles 14 and 15 of the Retirement and Social Security Law

I.D. No. AAC-34-24-00002-P

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

Proposed Action: Amendment of sections 353.1 and 353.2 of Title 2 NYCRR.

Statutory authority: Retirement and Social Security Law, sections 11(a), 519(1) and 614(a)

Subject: Procedure to determine disability retirement applications under Articles 14 and 15 of the Retirement and Social Security Law.

Purpose: To broaden committee-eligible titles and account for changes to the Retirement and Social Security Law.

Text of proposed rule: Section 353.1 is amended to read as follows:

[Sections 507-a and 605 of the Retirement and Social Security Law] *Articles 14 and 15 of the Retirement and Social Security Law* provide disability retirement benefits for certain members of the New York State and Local Employees' Retirement System. [These sections provide benefit eligibility to members who have accrued at least 10 years of service credit and are determined to be permanently incapacitated for the performance of duty, without regard to the cause of such disability. Sections 507-a and 605 further provide that members with less than 10 years of service credit shall be eligible to receive benefits if they are permanently incapacitated for the performance of duties as the natural and proximate result of an accident sustained in member service. Section 507 of the Retirement and Social Security Law provides an accidental disability benefit under which the determination of the issue of permanent incapacity is based on the determination of the member's application for primary social security. However, the determination as to whether the incapacity determined with respect to the social security disability application is the natural and proximate result of the accidents alleged on the application for section 507 benefits must be made by the Retirement System. Subdivision c of both section 507-a and section 605 authorize each public retirement system with members subject to the provisions of those sections to adopt appropriate procedures for determining the issues of permanent incapacity and, where appropriate, causal relationship between alleged accidents and disability. Section 519 of t] *The Retirement and Social Security Law* authorizes the Comptroller to promulgate regulations with respect to *the* administration of retirement benefits provided by [article] *Articles 14 and 15 of the Retirement and Social Security Law*. The New York State and Local Employees' Retirement System has developed such appropriate procedures for determining applications for disability retirement under [sections 507, 507-a and 605] *these articles*, and this Part is hereby promulgated to set forth and publish such procedures.

Section 353.2 is amended to read as follows:

Applications for disability retirement benefits filed pursuant to [sections 507-a and 605] *Articles 14 and 15 of the Retirement and Social Security Law* shall be determined by a committee of *at least* three individuals, [which shall consist of] *one of whom shall be* a Retirement System Bureau Director, *and who shall serve as chairperson*, [at committee meetings,] and *at least* two other committee members, who shall be appointed by the *Executive Deputy Comptroller or Deputy Comptroller for the Division of Retirement[s] Services*. [from a pool consisting of individuals in Retirement Program Administrator titles who] *Appointed committee members shall be individuals employed in a position within the Retirement System and have [are] experience[d] in processing disability retirement*

applications. *If one or more committee members [In the event of the] are unavailable[ility], [of one or more of the three members of such committee to attend a scheduled meeting,] the Executive Deputy Comptroller or Deputy Comptroller for the Division of Retirement[s] Services shall appoint the necessary number of [substitute] committee members. [from such pool.] Such committee is referred to herein as the "determining authority." Such determining authority shall determine whether a member is permanently incapacitated for the performance of duties. Additionally, the determining authority is authorized, where appropriate, to determine whether there is a causal relationship between alleged accidents or incidents or acts of an inmate sustained in service and the disability claimed by the member.* With respect to applications for accidental disability benefits filed under Retirement and Social Security Law section 507, such determining authority shall also determine the issue of causal relationship between alleged accidents and the disability which was the basis of the approval of the member's application for primary social security disability benefits.

Text of proposed rule and any required statements and analyses may be obtained from: Marcella Buell, Office of New York State Comptroller, 110 State Street, Albany, NY 12244, (518) 410-9567, e-mail: mbuell@osc.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: Retirement and Social Security Law section 11(a) provides that the New York State Comptroller may adopt rules and regulations for the administration and transaction of the business of the retirement system. Sections 519(1) and 614(a) of the Retirement and Social Security Law authorize the New York State Comptroller to promulgate procedural regulations.

2. Legislative objectives: The proposed rules amend the procedure for determining applications for disability retirement under Articles 14 and 15 of the Retirement and Social Security Law.

3. Needs and benefits: The regulations currently provide that two members of the committee to determine applications for disability retirement Program Administrator titles. These individuals shall also have experience processing disability retirement applications. The proposed rules broaden the list of titles that are eligible to serve on the committee, therefore ensuring that committee members will be available to process disability cases. The proposed rules additionally amend the regulations to reflect changes to the Retirement and Social Security Law since the last regulatory update.

4. Costs: The proposed rules will impose no additional costs.

5. Paperwork: The proposed rules will not require any new reporting requirements or paperwork.

6. Local government mandates: The proposed rules do not impose any duty or responsibility on, or involve any program or service regarding any county, city, town, village, school district, or fire district.

7. Duplication: The amendments do not duplicate or conflict with existing state or federal requirements.

8. Alternatives: The considered alternative was to continue the current practice. The proposed amendments are superior because they ensure that committee members will be available to process disability applications. Additionally, the proposed amendments modify the regulations to comport with changes to the Retirement and Social Security Law that have gone into effect since the last amendments.

9. Federal standards: As there are no relevant federal standards regarding this procedure, the proposed rule does not exceed any minimum federal standard for the same or similar subject areas.

10. Compliance schedule: These regulations do not incorporate compliance schedules on regulated parties.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not submitted with this notice because the proposal will not impose any adverse economic impact, or reporting, record keeping or compliance requirements on small businesses or local governments. This proposal applies to internal procedures of the New York State and Local Employee's Retirement System and does not involve compliance by small businesses or local governments in any manner.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not submitted with this notice because the proposed amendments will not impose any adverse impact or significant reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. This proposal applies to internal procedures of the New York State and Local Employee's Retirement System and does not involve compliance by public or private entities in rural areas in any manner.

Education Department

EMERGENCY RULE MAKING

Posthumous High School Diplomas

I.D. No. EDU-21-24-00018-E

Filing No. 676

Filing Date: 2024-08-05

Effective Date: 2024-08-05

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

Action taken: Amendment of section 100.5(b) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 309 and 3204

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

Specific reasons underlying the finding of necessity: In November 2023, the Blue Ribbon Commission on Graduation Measures presented its recommendations to the Board of Regents. This was an unprecedented effort that brought together student voices along with a diverse range of stakeholders, including parents, educators, administrators, school support staff, representatives of higher education, and the business community. The Blue Ribbon Commission created a roadmap for learning-centered education that best meets the needs of every student in New York State and incorporates a competency-based approach to teach the practical skills needed for the dynamic demands of tomorrow's workforce.

As leaders in education, the Blue Ribbon Commission members were mindful of individual student circumstances and needs. As such, one of the Commission's recommendations was to pursue regulatory changes to allow discretion for local New York State schools and districts in posthumously conferring high school diplomas. Based on this recommendation, the Department now proposes to amend the Regulations of the Commissioner of Education to provide such discretion.

The Department proposes to amend section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death.

The proposed amendment was presented to the P-12 Committee for recommendation to the Full Board for adoption as an emergency rule at the May 2024 meeting of the Board of Regents, effective May 7, 2024. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the September 2024 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the September meeting, would be September 25, 2024, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire August 4, 2024. Therefore, a second emergency action is necessary at the July 2024 meeting, effective August 5, 2024, for the preservation of the general welfare to immediately permit school districts, registered nonpublic schools, and charter schools to immediately confer posthumous diplomas for the 2024 graduation season and to ensure that the emergency action taken at the May 2024 meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the September 2024 Regents meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking.

Subject: Posthumous high school diplomas.

Purpose: To allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death.

Text of emergency rule: Paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended by adding a new subparagraph (xii) to read as follows:

(xii) Posthumous high school diplomas.

(a) A school district, registered nonpublic school, or charter school may issue a high school diploma for a deceased student if a request is made by the student's parent or person in parental relation, or where the student's parent or person in parental relation is deceased, the student's next of kin, and such student was enrolled in such school or district at the time of death.

(b) Nothing in this subparagraph shall:

(1) obligate school districts, registered nonpublic schools, or charter schools to issue a posthumous diploma at the same ceremony or event as other graduating students; or

(2) limit school districts, registered nonpublic schools, or charter schools from issuing high school diplomas to students who died before the effective date of this subparagraph, provided that the requirements of this subparagraph have been met.

(c) Diplomas issued under this subparagraph shall not be applied toward student graduation counts or for any other purpose of federal and state accountability data collection.

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. EDU-21-24-00018-EP, Issue of May 22, 2024. The emergency rule will expire October 3, 2024.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer and charges the Department with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to Education.

Education Law § 208 grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law § 209 grants general rule-making authority to the Regents to confer certificates or diplomas on students who satisfactorily pass examinations.

Education Law § 305(1) and (2) of the Education Law provide that the Commissioner shall have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Education Law § 309 provides that the schools of every union free school district and of every city in all their departments are subject to the visitation of the Commissioner and charges the Commissioner with the general supervision of their board of education and their management and conduct of all departments of instruction.

Education Law § 3204 provides that minors required to attend upon instruction pursuant to the Compulsory Education Law may attend at a public school or elsewhere and sets forth the requirements of such instruction.

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to amend section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death.

3. NEEDS AND BENEFITS:

In November 2023, the Blue Ribbon Commission on Graduation Measures presented their recommendations to the Board of Regents. The Graduation Measures Initiative was an unprecedented effort that brought together student voices along with a diverse range of stakeholders—including parents, educators, administrators, school support staff, representatives of higher education, and the business community. The Blue Ribbon Commission created a roadmap for learning-centered education that best meets the needs of every student in New York State and incorporates competency imperatives that provide them with the practical skills needed for the dynamic demands of tomorrow's workforce.

As leaders in education, the Blue Ribbon Commission was mindful of individual student circumstance and needs. As such, one of the Commission's recommendations was to pursue regulatory changes to allow the

discretion for local New York State schools and districts to confer high school diplomas posthumously. Based on this recommendation, the Department now proposes to amend the Regulations of the Commissioner of Education to provide such discretion.

Proposed Amendment

The Department proposes to amend section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death.

4. COSTS:

(a) Costs to State government: The proposed rule does not impose any costs on State government.

(b) Costs to local government: The proposed rule does not impose any costs on local government.

(c) Cost to private regulated parties. The proposed rule does not impose any costs on private regulated parties.

(d) Cost to the regulatory agency: The proposed rule does not impose any costs on the State Education Department for implementation and continued administration.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment merely permits school districts (as well as registered nonpublic schools and charter schools) to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death, at the request of the student's parent or person in parental relation. Therefore, the proposed rule does not impose any program service, duty, responsibility, or other mandate on local governments.

6. PAPERWORK:

The proposed rule does not impose any paperwork mandates.

7. DUPLICATION:

There are no other state or federal requirements on the subject matter of the proposed rule. Therefore, the amendment does not duplicate other existing state or federal requirements.

8. ALTERNATIVES:

The proposed rule amends section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death. There are no significant alternatives to the proposed rule, and none were considered.

9. FEDERAL STANDARDS:

There are no related federal standards. Since there are no applicable federal standards, the proposed rule does not exceed any minimum federal standards for the same or similar subject areas.

10. COMPLIANCE SCHEDULE:

The proposed rule took effect as an emergency rule on May 7, 2024. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the September 2024 meeting. If adopted at the September Regents meeting, the proposed amendment will become effective as a permanent rule on September 25, 2024. The proposed amendment does not impose any compliance schedules on regulated parties.

Regulatory Flexibility Analysis

The purpose of the proposed rule is to amend section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death. The proposed rule does not require school districts, registered nonpublic schools, or charter schools to confer such diplomas, but rather permits them to do so.

The proposed rule does not impose any new reporting, recordkeeping, or other compliance requirements on small businesses or local governments or have any adverse economic impact on small businesses or local governments. Because it is evident from the nature of the proposed rule that it does not adversely affect small businesses or local governments, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act, and one has not been prepared.

Rural Area Flexibility Analysis

The purpose of the proposed rule is to amend section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the

school or district at the time of death. The proposed rule does not require school districts, registered nonpublic schools, or charter schools to confer such diplomas, but rather permits them to do so.

The proposed rule will not have any adverse impact, nor impose any reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas. Because it is evident from the nature of the proposed amendment that it does not adversely impact entities located in rural areas, no further measures were needed to ascertain that fact and none were taken. Accordingly, a rural area flexibility analysis is not required pursuant to section 202-bb(4)(a) of the State Administrative Procedure Act, and one has not been prepared.

Job Impact Statement

The purpose of the proposed rule is to amend section 100.5(b)(7) of the Regulations of the Commissioner of Education to allow school districts, registered nonpublic schools, and charter schools, at the request of the student's parent or person in parental relation, the ability to confer a high school diploma on a deceased student if the student was enrolled in the school or district at the time of death.

Because it is evident from the nature of the proposed amendment that it will have no impact on jobs or employment opportunities attributable to its adoption or only a positive impact, no affirmative steps were needed to ascertain these facts, and none were taken. Accordingly, a job impact statement is not required pursuant to section 201-a(2)(a) of the State Administrative Procedure Act, and one has not been prepared.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Special Education Due Process Hearings

I.D. No. EDU-34-24-00001-EP

Filing No. 674

Filing Date: 2024-08-01

Effective Date: 2024-08-01

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

Proposed Action: Amendment of section 200.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305, 3602-c, 4404 and 4410

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

Specific reasons underlying the finding of necessity: The Department proposes to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding the implementation of services recommended on an IESP regarding the rate at which a provider shall be reimbursed. Further, it is the Department's position that going to a due process hearing for payment for IESP services obtained by the parent unfairly imposes administrative and financial burdens on parents. The Department seeks to ensure that parents whose IESP services were not implemented receive prompt reimbursement at the local level.

To provide predictability for the upcoming 2024-2025 school year, the Department proposes the adoption of this regulation on an emergency basis. Thus, beginning this year, disputes over the rates at which service providers will be paid or reimbursed must be filed as State complaints or pursued at the local school district level.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the November 2024 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the November meeting, would be November 20, 2024, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the July 2024 meeting, effective July 16, 2024, for the preservation of the general welfare to provide predictability for the upcoming 2024-2025 school year regarding the kinds of disputes that fall outside the scope of the (State) entitlement to an impartial due process hearing.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the November 2024 Regents meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking. However, since the emergency action will expire before the November Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the September 2024 Regents meeting.

Subject: Special education due process hearings.

Purpose: To clarify that parents of students who are parentally-placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student’s IESP or aligned with the current market rate for such services.

Text of emergency/proposed rule: Paragraph (1) of subdivision (i) of section 200.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) A parent or school district may file a due process complaint with respect to any matter relating to the identification, evaluation, or educational placement of a student with a disability, a student suspected of having a disability, or the provision of free appropriate public education to such student. *This does not include disputes over whether a rate charged by a licensed provider is consistent with the program in a student’s IESP or aligned with the current market rate for such services; any due process complaint filed on or after July 16, 2024 concerning such issues shall be subject to dismissal on jurisdictional grounds. However, a school district may file such a complaint to challenge the propriety of a provider’s rate that exceeds the current market rate or to challenge the licensure status of a provider.* The party presenting the complaint, or the attorney representing such party shall provide a written due process complaint notice to the party, which shall include:

- (i) ...
- (ii) ...
- (iii) ...
- (iv) ...
- (v) ...

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire October 29, 2024.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Christopher Suriano, Assistant Commissioner, Education Department, Office of Special Education, 89 Washington Ave., 301M EB, Albany, NY 12234, (518) 473-2878, email: REGCOMMENTS@nysed.gov

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

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

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 charges the Department with the general management and supervision of all public schools and all of the educational work of the state.

Education Law § 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law § 305(1) and (2) provides the Commissioner, as chief executive officer of the State’s education system, with general supervision over all schools and institutions subject to the Education Law, or of any statute relating to education, with responsibility for executing all educational policies of the Board of Regents.

Education Law § 3602-c provides for the apportionment of moneys to school districts for the provision of services to pupils attending nonpublic schools.

Education Law § 4404 establishes the appeal procedures for students with disabilities. Subdivision (1) authorizes and requires the Commissioner to promulgate regulations relating to the qualifications, procedures and timelines for impartial hearings, as well as procedures for the suspension or revocation of impartial hearing officer certification for good cause.

Education Law § 4410 establishes school district duties for the education of preschool students with disabilities and the Department’s responsibilities regarding special education programs for preschool students with disabilities. Section 4410(13) authorizes the Department to adopt regulations as to implement such section.

2. LEGISLATIVE OBJECTIVES:

Consistent with the above statutory authority, the proposed rule is necessary to clarify that parents of students who are parentally-placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student’s IESP or aligned with the current market rate for such services.

3. NEEDS AND BENEFITS:

The Department proposes to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Educa-

tion Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student’s IESP or aligned with the current market rate for such services. The Department proposes that any due process complaint filed on or after July 16, 2024 concerning these issues shall be dismissed on jurisdictional grounds. Further, it is the Department’s position that going to a due process hearing under such circumstances unfairly imposes administrative and financial burdens on parents. The Department seeks to ensure that parents whose IESP services were not implemented receive prompt reimbursement at the local level.

NYCDOE has advised the Department that on or before the effective date of the rule clarification—and well in advance of the start of the 10-month school year—NYCDOE will provide guidance as to how the clarification will impact families’ experiences in securing services for their student. The guidance will address how the process will work under the revised rule, and, more importantly, the steps NYCDOE is taking to ensure appropriate services are available and offered to all students who need them. The guidance will also explain how cases that might have previously been filed as due process complaints in past years will be processed going forward. The NYCDOE Office of the General Counsel (OGC) is standing up a new unit, called the Enhanced Rate Equitable Services Unit (ERES Unit). ERES will receive and process all requests for enhanced rate equitable services where a parent or their representative has filed a parental notice of intent (PNI). More detailed information will follow in the guidance, but at this stage the public should know that it can communicate with the ERES Unit at this email address: EquitableServicesAssistance@schools.nyc.gov.

The Department will continue to work with the NYCDOE to ensure that it meets its obligations under the IDEA to provide equitable services to students with disabilities who are so entitled, including those parentally placed in nonpublic schools.

4. COSTS:

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: There are no additional costs to local government.

(c) Cost to private regulated parties. There are no additional costs to private regulated parties.

(d) Cost to the regulatory agency: There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any program service, duty, responsibility, or other mandate on local governments.

6. PAPERWORK:

The proposed rule imposes no new reporting or other paperwork requirements beyond those imposed by statute.

7. DUPLICATION:

The proposed rule does not duplicate any other existing State or federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student’s IESP or aligned with the current market rate for such services. There are no significant alternatives to the proposed rule available and none were considered.

9. FEDERAL STANDARDS:

The Individuals with Disabilities Education Act (IDEA) requires that an “equitable” share of each school district’s IDEA funds be used to provide services to students with disabilities attending nonpublic schools (34 CFR § 300.138). School districts must locate, evaluate, and provide nonpublic school students with a “services plan that describes the specific special education and related services that the [district] will provide to the child in light of the services that [it] has determined... it will make available to parentally placed private school children with disabilities” (34 CFR § 300.138[b][1]). The service plan used in New York State is the IESP. New York State statute exceeds federal requirements by providing the parents of parentally placed students with disabilities the ability to file due process complaints in certain instances (Education law § 3602-(c)(2)(b)(1)). There is no federal requirement providing parents of parentally-placed students the ability to file such complaints.

10. COMPLIANCE SCHEDULE:

The proposed rule took effect as an emergency rule on August 1, 2024. It is anticipated that the proposed amendment will be presented for permanent adoption at the November 2024 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the November Regents meeting, it is anticipated that an additional emergency action will

be presented for adoption at the September 2024 meeting. If adopted at the November 2024 meeting the rule will take effect as a permanent rule on November 20, 2025.

Regulatory Flexibility Analysis

(a) Small Businesses:

The purpose of the proposed rule is to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services.

Because it is evident from the nature of the proposed amendments that they do not affect small businesses, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act (SAPA), and one has not been prepared.

(b) Local Governments:

1. EFFECT OF RULE:

The purpose of the proposed amendment is to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services. The proposed amendment applies to each of the 731 public school districts within the State.

2. COMPLIANCE REQUIREMENTS:

The Department proposes to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services. The Department proposes that any due process complaint filed on or after July 16, 2024 concerning these issues shall be dismissed on jurisdictional grounds. Further, it is the Department's position that going to a due process hearing under such circumstances unfairly imposes administrative and financial burdens on parents. The Department seeks to ensure that parents whose IESP services were not implemented receive prompt reimbursement at the local level.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any professional service requirements on local governments.

4. COMPLIANCE COSTS:

The proposed amendment will not impose any additional program, service, duty, responsibility, or costs on local governments.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional technological requirements on school districts.

6. MINIMIZING ADVERSE IMPACT:

The purpose of the proposed rule is to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services. Because of the nature of the proposed rule, the Department does not anticipate that it will have any adverse economic impact on local governments. Therefore, differing approaches as prescribed in SAPA § 202-b(1) were not considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Copies of the proposed amendment have been provided to school districts through the offices of the district superintendents of each supervisory district in the State and to the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule will apply to each of the 731 public school districts in the State and all Impartial Hearing Officers (IHOs) certified by the State Education Department, including those located in the 44 counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square miles or less.

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

The purpose of the proposed rule is to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services.

The proposed amendment does not impose any reporting, recordkeeping or other compliance requirements on regulated parties, including those located in rural areas. The proposed rule also does not impose any professional service requirements.

3. COSTS:

The proposed rule does not impose any additional costs to school districts or certified IHOs, including those located in rural areas.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services. Because of the nature of the rule, the Department does not anticipate it will have any adverse economic impact on local governments or IHOs, including those located in rural areas. Therefore, alternative approaches for rural areas were not considered.

5. RURAL AREAS OF PARTICIPATION:

Copies of the proposed amendment have been provided to school districts through the offices of the district superintendents of each supervisory district in the State and to the chief school officers of the five big city school districts, as well as those located in rural areas.

Job Impact Statement

The purpose of the proposed rule is to clarify that parents of students who are parentally placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a rate charged by a licensed provider is consistent with the program in a student's IESP or aligned with the current market rate for such services.

Because it is evident from the nature of the proposed amendment that it will have no impact on jobs or employment opportunities attributable to its adoption or only a positive impact, no affirmative steps were needed to ascertain these facts and none were taken. Accordingly, a job impact statement is not required pursuant to section 201-a(2)(a) of the State Administrative Procedure Act, and one has not been prepared.

NOTICE OF WITHDRAWAL

Special Education Due Process Hearings

I.D. No. EDU-31-24-00007-W

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

Action taken: Notice of proposed rule making, I.D. No. EDU-31-24-00007-EP, has been withdrawn from consideration. The notice of proposed rule making was published in the *State Register* on July 31, 2024.

Subject: Special education due process hearings.

Reason(s) for withdrawal of the proposed rule: The proposed rule is being withdrawn as due to a clerical error the wrong text of the rule was inadvertently filed.

Department of Environmental Conservation

NOTICE OF ADOPTION

Subpart 220-1, Portland Cement Plants; Subpart 220-3, Asphalt Mixture Manufacturing Plants

I.D. No. ENV-46-23-00007-A

Filing No. 684

Filing Date: 2024-08-06

Effective Date: 30 days after filing

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

Action taken: Repeal of Subpart 212-4; addition of Subpart 220-3; amendment of sections 200.9, 212-1.2 and Subpart 220-1.

Statutory authority: Environmental Conservation Law, sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305 and 19-0311

Subject: Subpart 220-1, Portland Cement Plants; Subpart 220-3, Asphalt Mixture Manufacturing Plants.

Purpose: Subpart 220-1 will be updated to reflect current Federal requirements, and Subpart 220-3 will establish control requirements for asphalt plants.

Text of final rule: Section 200.9, Table 1 is amended to update references to the Code of Federal Regulations found in Subpart 220-1.

Subpart 220-1 is revised to align with federal rule 40 Code of Federal Regulations (CFR) Part 63 Subpart LLL, “National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry.” The current particulate emission limit for kilns and clinker coolers in Subpart 220-1 will be lowered to match what is allowed by Subpart LLL. Subpart LLL requires a particulate monitor and has dropped the opacity requirement that is currently included in Subpart 220-1. Subpart 220-1 will be revised to reflect the appropriate particulate monitoring as defined in Subpart LLL, which requires the owner or operator of a kiln and clinker cooler subject to limitations on PM emissions to monitor performance through use of a PM continuous parametric monitoring system (PM CPMS).

Subpart 220-1 is also revised to remove the 40 CFR Part 75 nitrogen oxide (NO_x) emissions monitoring and reporting requirements and replace them with 40 CFR Part 60 monitoring and reporting requirements. Part 75 monitoring is no longer appropriate because the federal program, the Clean Air Interstate Rule, that required it has been repealed and replaced by the Cross-State Air Pollution Rule (CSAPR) in 2015. CSAPR is a cap-and-trade program designed to reduce NO_x emissions from power plants. Part 60 monitoring and reporting is a less expensive option that will replace Part 75 and achieve the required NO_x emissions monitoring from portland cement kilns.

Repeal Subpart 212-4 and remove associated definitions and references to Subpart 212-4.

6 NYCRR Subpart 220-3

Asphalt [Pavement]Mixture Manufacturing Plants

Applicability.

Subpart 220-3 applies to operations at an Asphalt [Pavement]Mixture Manufacturing Plant whose calculated annual production level of asphalt paving material is equal to or greater than 75,000 tons per year. Subpart 220-3 applies upon issuance of a new or modified permit for an Asphalt [Pavement]Mixture Manufacturing Plant or Reconstructed Asphalt [Pavement]Mixture Processing Unit, or three years from the effective date of Subpart 220-3 for existing facilities, whichever occurs first.

Recordkeeping and Work Practices.

Operators of an Asphalt [Pavement]Mixture Manufacturing Plant shall record information *once* daily, as applicable, for each Asphalt [Pavement]Mixture Processing Unit during operation in a calendar year[, including and identifying days when no asphalt paving material is being manufactured].

An annual [tune-up]service on the dryer burner and on the hot oil heater is required. A plan must be submitted to the Department that details the methods utilized to reduce moisture content of the aggregate stockpile(s). An annual Baghouse Inspection and Maintenance must be completed prior to operating for the season. All ductwork must be inspected for leaks and any necessary maintenance must be completed prior to operating during the asphalt production season. Annual records of baghouse and ductwork inspections shall be maintained for two years after issuance of the permit, and may be stored offsite (including electronic storage) afterwards for the life of the permit.

Emissions from Asphalt Cement Storage Tanks.

Within one year of the effective date of this Subpart, the owner shall install equipment that is designed to capture and control emissions of volatile organic compounds (VOCs) associated with [the filling and heating of] asphalt cement storage tanks. Each asphalt cement storage tank shall vent through a tank vent condenser, [activated carbon filter,] or similar suitable control device. Multiple tanks may vent through the same control device if the venting equipment is properly sized and rated to adequately handle the quantity of [all the emitted] VOCs emitted from the tanks. These control devices must remain in place and continue to operate, regardless of future calculated annual production levels.

Emissions from Aggregate Dryer.

Immediately upon becoming applicable to this Subpart, the owner or operator of an existing or new aggregate dryer shall comply with the respective emission limits specified in Table 1 for Batch Mix and Continuous Drum Mix processes.

The owner or operator of a rotary dryer that fires distillate fuel oil must meet the sulfur-in-fuel limits in 6 NYCRR Subpart 225-1 and Subpart 225-2 if firing waste oil.

Table 1 – Aggregate Dryer Emission Limits.

Fuel Type	Air Contaminant	Existing Unit Emission Limits	New Unit Emission Limits
Distillate Oil Or Waste Fuel	Particulate Matter (filterable) Plus Particulate Matter (condensable)	0.030 grains per dry standard cubic foot < 135 parts per million @ 3% O ₂ Or < 0.173 lbs/millionBtu*	0.015 grains per dry standard cubic foot < 90 parts per million @ 3% O ₂ Or < 0.113 lbs/millionBtu*
	Nitrogen Oxides (Distillate Oil)	< 200 parts per million @ 3% O ₂ Or < 0.256 lbs/millionBtu*	< 90 parts per million @ 3% O ₂ Or < 0.113 lbs/millionBtu*
Natural Gas Or Liquid Propane	Nitrogen Oxides (Waste Oil)		
	Particulate Matter (filterable) Plus Particulate Matter (condensable)	0.030 grains per dry standard cubic foot < 80 parts per million @ 3% O ₂ Or < 0.096 lbs/millionBtu*	0.015 grains per dry standard cubic foot Or < 0.048 lbs/millionBtu* < 40 parts per million @ 3% O ₂ Includes NO _x reduction technology with Flue Gas Recirculation
	Nitrogen Oxides		

*British Thermal Units

Emissions from Asphalt Storage Silos, Drag Conveyors, Pug Mills, and Load-Out Process Operations.

The owner or operator of an existing Asphalt [Pavement]Mixture Processing Unit [that emits blue smoke] shall control emissions associated with the drag conveyor, and/or hot screens, pug mill and asphalt storage silo filling operations. These emissions must be captured and can either be returned to the drum mixer, controlled with coalescing filters or controlled with any other method acceptable to the Department, approved in writing, according to the following schedule:

Existing Asphalt [Pavement]Mixture Processing Units that have a calculated annual production level:

(1) > 500,000 tons per year of asphalt [paving material]mixture, must comply within one year of the effective date of this Subpart.

(2) 250,000 tons per year but less than 500,000 tons per year of asphalt mixture, must comply within three years of the effective date of this Subpart.

(3) > 75,000 tons per year but less than 250,000 tons per year of asphalt [paving material]mixture, must comply within five years of the effective date of this Subpart.

(4) New Asphalt [Pavement]Mixture Processing Units or Reconstructed A[asphalt [Pavement]Mixture Processing Units, regardless of annual production levels, must comply upon start-up.

(5) Provided that the operator has ordered equipment and otherwise timely complied with this Subpart, and delays outside of the control of the operator, such as supply chain shortages, as determined by the Department, shall not cause a violation of Section 220-3.6.

Notwithstanding the methods of blue smoke capture and control set forth above, compliance with this section may also be achieved by demonstration to and written approval by the Department that warm mix asphalt technology is being used that will control or eliminate blue smoke at the Asphalt Mixture Processing Unit, and can meet the requirements of Method 9.

Blue smoke emission control equipment is not required for load-out process operations where the silo or pug mill and load-out process operations are located [within]more than approximately 750 feet from the Asphalt [Pavement]Mixture Manufacturing Plant [fence]property line.

Opacity Limits for Asphalt [Pavement]Mixture Manufacturing Plants. No facility owner or operator shall cause or allow emissions to exceed an average opacity of 20 percent or greater during any six consecutive minutes from any process emission source or emission point.

Performance Requirements.

Emissions testing shall be conducted for all Asphalt [Pavement]Material Processing Units, while burning all fuels utilized by the Asphalt Mixture Manufacturing Plant [the worst-case fuel] to verify compliance with the filterable and condensable particulate matter (PM) and Nitrogen Oxide (NO_x) limits, using the applicable emission test methods found in 40 CFR Part 60 Appendix A, Method 5, 40 CFR Part 51 Appendix M, Method 202 and 40 CFR Part 60 Appendix A Method 7.

The owner or operator shall conduct a burner tuning procedure in accordance with the manufacturer’s specifications to minimize NO_x and

carbon monoxide (CO) emissions each calendar year[no later than June 15th of each year or within four (4) weeks after a start-up of the Asphalt Pavement Processing Unit].

Monitoring records shall be kept on site for *two years after issuance of the permit, and may be stored offsite (including electronic storage) afterwards for the life of the permit and shall be made available to the Department upon request.*

[The Department may require the owner or operator of an asphalt pavement manufacturing plant to perform an air dispersion modeling analysis using procedures acceptable to the Department to evaluate the impacts of the facility on the surrounding community.] *In the event the emissions testing described in subparagraph 3.9(a) above demonstrates that the emission limits have not been met, and no feasible technological alternative exists to achieve such limits, the department may require the owner or operator of an Asphalt Mixture Manufacturing Plant to perform an air dispersion modeling analysis using procedures acceptable to the department to determine compliance at the property line.*

Fugitive Dust Control.

Fugitive dust must be reduced or controlled from site roadways and plant property, Asphalt [Pavement]Mixture Processing Units, storage piles, and vehicles. Dust on the site roadways and plant property shall be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compound. Application of dust suppressants shall be completed often enough to prevent dust emissions from leaving the plant property.

When corrective action needs to be taken, the permittee shall consider and use one or more of the following options: adjust the watering and/or sweeping frequencies; reduce drop distances; increase coverings; and/or take other appropriate actions to reduce fugitive dust emissions.

Final rule as compared with last published rule: Nonsubstantial changes were made in sections 220-1.1(b)(7), 220-1.2, 220-1.3, 220-1.4, 220-1.5, 220-1.6, 220-1.7, 220-3.1(a), (2), (b), 220-3.2(b)(2), (4), (5), (6), (7), (8), (10), (11), (13), (14), (15), (16), (17), (18), (19), (20), 220-3.3(a), (1), (8), (9), (10), (b), (1), (2), (3), (4)(i), (6), 220-3.4(a), (1), (2), 220-3.5(a), (b), 220-3.6(a), (1), (2), (3), (4), (5), (b), 220-3.7(a), (1), (2), (3), (4), (5), (b), 220-3.9(a), (1), (b), (1), (c), (1), (ii), (d), 220-3.10(a)(2), (3), (4), (b), (1) and (2).

Text of rule and any required statements and analyses may be obtained from: Michael Miliani, DEC, Division of Air Resources, 625 Broadway Albany, NY 12233, (518) 402-8403, email: air.regs@dec.ny.gov

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

The edits made to the Express Terms do not require any substantial changes to the Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

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

Assessment of Public Comment

The New York State Department of Environmental Conservation (Department) is proposing to repeal Subpart 212-4 and create a new Asphalt Mixture Manufacturing Plant (AMMP) regulation under Subpart 220-3. Subpart 220-3 will require new facilities to install control equipment that represents the best achieved industry standards. Existing facilities will be required to install similar controls on a scheduled reduction plan. These changes will reduce air emissions and streamline compliance. Also, existing Subpart 220-1, which regulates Portland cement plants, will be updated to reflect current particulate emission and nitrogen oxide (NO_x) monitoring and reporting requirements. Subpart 220-2, Glass Plants, will remain unchanged. The proposed repeal of Subpart 212-4 will also require certain revisions to ensure compatibility with new Subpart 220-3, including revisions to section 212-1.2, Definitions. Section 200.9, Referenced Material, will be updated to include associated revisions in Subpart 220-1.

The Department received 24 comments, including those from a concerned citizen, an Assembly member, a Senator, a chemical additive manufacturing company, asphalt manufacturing facilities and the New York State Construction Materials Association, Inc. (NY Materials).

The concerned citizen expressed interest in Peckham Materials Corporation, which is in the process of shutting down an older, batch style plant and has submitted a permit application to replace it with a modern, brand new, double-barrel drum plant, including full blue smoke capture on the drag slat and silos. The commenter asks that the Department require out-of-date plants to monitor their emissions continuously while the plant is in operation, and have readouts sent via a web app login or Application Programming Interfaces to the Town's negatively impacted locations, as well as to the plant itself. The commenter also requests that if and when a

new plant is built, the monitoring equipment should be moved to the new plant to continue monitoring operations.

Peckham Materials Corporation has continued to work closely with Department staff and was required to conduct air dispersion modeling to assure that local receptors are not negatively impacted and any levels of air pollution they are exposed to are below guideline concentration standards that are protective of human health. In accordance with the Climate Leadership and Community Protection Act, under Section 7(3), permit applications need to include an analysis demonstrating that any nearby disadvantaged communities are not disproportionately burdened by the proposed project or new facility. To ensure compliance, the facility's air permit will ultimately contain condition(s) that require monitoring of numerous parameters which demonstrate that all installed equipment is operating optimally and maintaining low levels of air pollution while the plant is in operation.

Commenters suggested revisions to the applicability and definition sections of the proposed rule to better clarify the intent of the Department and align with terminology currently used by the asphalt manufacturing industry. The Department agrees with these clarifications and will update the express terms to incorporate the suggested changes.

NY Materials suggested several clarifications to the recordkeeping and work practices section of the rule to better clarify the intent of the Department and align with daily operations typically performed by the AMMPs. The Department agrees with these clarifications and will update the express terms to incorporate the suggested changes.

A commenter suggested that an updated aggregate moisture reduction plan be submitted to the Department within 1-year of rule adoption. The Department agrees that these plans should be re-submitted to reflect current operations and any updates that may have occurred since the previous plans were submitted in 2011.

A commenter recommended reducing the paperwork storage burden on facilities by keeping these daily records onsite for 2 years and moving offsite (including electronic storage) after 2 years. The Department notes that asphalt plants will need to maintain an Air Facility Registration or Air State Facility permit. These permit types have a maximum term of 10-years before renewal is required. All facilities, no matter the permit type, are required to maintain records for the "life of the permit"; this requirement is applicable to all facilities, not just asphalt plants. However, the Department agrees with the suggestion to require daily records remain onsite for 2 years and allow for retention of records offsite after 2 years with the understanding that such records must be made available in a timely manner if requested by the Department. The Department will incorporate these changes into the express terms.

Commenters provided some additional information related to vent condensers during tank filling operations. This information better describes the limitations of vent condensers and additional cost estimates from controlling emissions during tank filling events. The Department's original intent in including this control requirement was to capture the air emissions generated by the tank during normal storage and heating conditions, not necessarily during filling events. The Department will revise the express terms to remove the words "filling" to reflect the capabilities and expectations of the vent condenser.

NY Materials suggests revised language that reflects the stage where an existing Asphalt Pavement Processing Unit transitions from the "Existing" to "New" emissions levels in Table 1. The Department agrees and has revised the express terms to clarify when the new unit emission limits will apply.

Commenters point out that due to current global economic conditions, including the lack of available commodities and materials, supply chain shortages, and geopolitical conflicts, the asphalt industry cannot influence the timeline for acquisition of such equipment. Therefore, the commenters suggest that the Department should reassess the requirement that such equipment be installed within one year of the effective date of Subpart 220-3. The installation deadlines set forth in this section should be revised to grant more time to operators to come into full compliance, particularly if the remaining obligations set forth in Subpart 220-3 are timely addressed. The commenters have included a proposed timeframe in 220-3.6(a)(1) to this end. As an alternative, one commenter has included language allowing for supply chain delays to not be counted against an operator. The Department agrees that the facility owners should not be considered in violation of the associated section of the rule if they have ordered equipment and otherwise complied with the rule requirements to install controls, to the extent possible. The Department has included the suggested language provided by the commenter to allow for supply chain delays to not be counted against an operator. Any delays may be reviewed by the Department on a case-by-case basis, as necessary.

Commenters identified typographical errors in the express terms with respect to "fence line" and how to measure distance to property line for truck load-out operations where emission controls are required. The Department agrees with these suggested revisions and will incorporate the

changes into the express terms to better clarify the intent of the rule to measure distance from the silo/truck load-out location to the facility property line where controls would be required.

One commenter recommends that the testing requirements set forth in Subdivision 220-3.9(a) be completed for all fuels utilized by the operator, not just the “worst case fuel.” The commenter believes that this is more consistent with testing already being performed at these facilities for other purposes. The Department agrees with this suggested revision and will incorporate these changes into the express terms.

To ensure that sufficient air testing professionals are available for the anticipated testing needs within 180 days of the Effective Date of this part set forth in Paragraph 220-3.9(b)(l), as well as to manage scheduling of engineer availability for testing and preparing reports, the commenter recommends a one-year timeframe for this initial testing requirement. The Department agrees with the commenters’ suggested comment that 180 days should be changed to 1-year to allow adequate time for scheduling source testing of new equipment at appropriate times of the year, while the facility is in a normal operating mode.

One commenter notes that one of the stated intentions of developing Subpart 220-3 was to remove asphalt plants from Part 212 for various reasons, and to develop a program more directly targeted at the emissions from asphalt plants specifically. The commenter believes that to allow dispersion modeling at all, let alone based solely on general and subjective requirements as “impacts of the facility on the surrounding community” is not only contradictory to this purpose, but would require a significant and costly analysis to be performed that will in most cases provide little, if any, additional benefit than compliance with the remainder of Subpart 220-3. The commenter recommends that this requirement be removed. If this is not feasible, the commenter recommends that it should only be required for facilities that do not meet the emissions testing requirements set forth in proposed Subdivision 220-3.9(a), when there are no feasible technological alternatives to achieving compliance. For any modeling required, the commenter suggests that criteria when such modeling should be required should clearly be specified and be uniform for all operators. The Department agrees that the intent of Subpart 220-3 was to move away from regulating this source category under Part 212, which includes modelling all facility emissions to determine potential health risks and receptor impacts. Subpart 220-3 was designed to capture and control air emissions from each applicable source at an asphalt manufacturing facility. Assuming these controls are in place and operating correctly, the Department expects that there would not be a reason to model the associated emissions (after the required controls are installed and implemented), as they will have already been captured and/or reduced per regulation requirements to the greatest extent possible. However, the Department does note that depending on the facility location and whether certain emission thresholds are met, there is the possibility that certain other statutory requirements may come into play that require air dispersion modeling outside the requirements of proposed Subpart 220-3.

If the Department should find a reason to believe that a facility is not meeting the requirements of Subpart 220-3 or encounter a situation where further investigation may be necessary to determine if a facility is negatively impacting public health of nearby receptors as noted above, dispersion modeling may be required in addition to the control requirements of this subpart to identify any excessive air emissions.

Commenters recommend that the Department explicitly include Warm Mix Asphalt (WMA) in the express terms of the regulations as a means of compliance with blue smoke emission control requirements. The Department has revised the proposed language to include the option to utilize WMA as a means of compliance to control blue smoke emissions. When utilizing WMA, producers will be required to reduce or eliminate blue smoke according to procedures acceptable to the Department that best achieve the required air emission reductions. Utilizing additives to produce asphalt at lower temperatures will need to be examined on a case-by-case basis and approved by the Department in writing. If a facility chooses to utilize WMA production as a control option, this will need to be demonstrated at the particular facility and appropriately documented with parameters defined by air permit conditions to ensure that blue smoke emissions are reduced or eliminated on a continuous basis while asphalt material is being produced, including start-up and shut down events.

One commenter asked that there be clarification as to if the facility will continuously be required to have “...best achievable industry standards” or if this is measured at the time of demonstrating compliance. Producers are concerned that they will need to constantly update their plants, at considerable cost, as new technologies are developed. The term “best achievable industry standards” was intended to be the benchmark measurement at the time Subpart 220-3 was written and is not intended to require asphalt manufacturing plant owner’s to continually update the control equipment their plants. Instead, equipment should be installed and maintained through its useful working lifespan and replaced with the most current, best available control equipment at the time the equipment is no

longer operating as it was designed to without significant rebuilding or modification.

NOTICE OF ADOPTION

Repeal and Replace Part 624; and Amend Parts 621, 622 and Subpart 750-1

I.D. No. ENV-09-24-00003-A

Filing No. 678

Filing Date: 2024-08-06

Effective Date: 2024-08-21

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

Action taken: Repeal of Part 624; addition of new Part 624; amendment of Parts 621, 622, and Subpart 750-1.

Statutory authority: Environmental Conservation Law, sections 3-0306(4), 8-0113(2), 17-0303(3), 17-0801, 17-0803, 17-0804, 70-0107(1) and art. 70; State Administrative Procedure Act, art. 3

Subject: Repeal and replace Part 624; and amend Parts 621, 622 and Subpart 750-1.

Purpose: To incorporate procedural and legal developments, develop consistency and reflect current practice in DEC permit hearings.

Substance of final rule: Part 624 Summary

The Department of Environmental Conservation (Department) repeals 6 NYCRR Part 624 “Permit Hearing Procedures” and adopts a new 6 NYCRR Part 624 “Permit Hearing Procedures”.

Applicability

Part 624 will apply to all administrative permit proceedings brought pursuant to the Environmental Conservation Law (ECL) or other laws administered by the commissioner, and various other matters enumerated in Part 624.

Definitions and General Provisions

Definitions specific to Part 624 are presented in 624.1(e). Several definitions have been revised to clarify or update the definition. Discovery is now defined as disclosure to be consistent with the Civil Practice Law and Rules (CPLR). The definition of relevant has been changed to be consistent with the Uniform Court Rules. The definition and use of the term “legislative hearing” has been replaced by “public comment hearing” to eliminate confusion and to more accurately reflect the common term for the hearing. New definitions for “adjudicatory proceeding,” “affidavit,” “affirmation of an attorney,” “day or days,” “electronically stored information,” “evidentiary hearing,” “issues conference,” “mediation,” and “public comment hearing” are adopted.

A new section 624.2 is adopted that sets forth filing requirements for an applicant requesting an adjudicatory proceeding pursuant to 6 NYCRR 621.10, 621.11 and 621.13. Sections 624.3 and 624.4 are revised to reflect the use of “public comment hearing” in public notices and to expressly authorize public comment hearings and issues conferences to be conducted by video conference, telephone conference or other similar service. In addition, section 624.4 is revised to authorize the ALJ to accept the record of a public comment hearing held pursuant to 6 NYCRR Part 621 to be accepted into the Part 624 record and no further public comment or written comment period being required. Section 624.4 is also revised to provide discretion to the ALJ to conduct the issues conference on the papers.

Section 624.5 is amended to require an applicant to submit a statement of issues in advance of the issues conference if the applicant intends to raise issues on a permit application referred to the Office of Hearings and Mediation Services (OHMS) pursuant to 6 NYCRR 621.8. Section 624.5 is also amended to clarify the requirements for hearing participation. Section 624.6 is amended to further clarify the general rules of practice for filing and serving papers and to replace the term “expedited appeals” with “interlocutory appeals” throughout the Part. Section 624.7 is amended to address disclosure of electronically stored information, to provide administrative sanctions for failure to obey a ruling or an order to produce material, and to provide for a subpoena duces tecum to be served on a library, department or bureau of a municipal corporation or the State, or an officer thereof.

The powers of an ALJ contained in section 624.8 have been revised to authorize the ALJ to conduct public comment hearings, issues conferences and evidentiary hearings by video conference, telephone conference or similar services, to issue a subpoena duces tecum to be served on a library, department or bureau of a municipal corporation or the State, or an officer thereof, and to limit participation and waive some requirements when a request for an adjudicatory proceeding is made by an applicant for a permit not covered by the Uniform Procedures Act unless otherwise required by law or unless a significant degree of public interest exists. Section 624.8 is

also revised to clarify the appeals process and limit appeals as of right to a ruling denying party status or any ruling in which the ALJ has denied a motion for recusal. All other rulings may be appealed on an interlocutory basis by seeking permission of the Commissioner.

Section 624.9 has been revised to include the hearsay exceptions in the paragraph on evidence. Section 624.13 has been revised to clarify issuance of a final decision as well as proceedings involving environmental impact statements.

A new section 624.14 is adopted to describe the mediation process after a permit proceeding has been commenced.

Nonsubstantive change to 6 NYCRR 624.2(c)(3)

Section 624.2(c) provides required content of an applicant's statement of issues. A nonsubstantive change was made to paragraph 624.2(c)(3) to replace "hearing" with the correct term "adjudicatory proceeding."

Nonsubstantive changes to 6 NYCRR 624.4(c)

Subdivision 624.4(c) provides standards for adjudicable issues in the Department's permit hearing proceedings. Nonsubstantive changes were made to 6 NYCRR 624.4(c)(1) and (c)(1)(i) and a new paragraph (9) was added to further clarify that the only issues that may be adjudicated for a SPDES permit that is subject to 6 NYCRR 750-1.26 are those related to the SPDES permit conditions stayed in accordance with paragraph 750-1.26(e)(2).

Nonsubstantive change to 6 NYCRR 624.5(c).

Subdivision 624.5(c) provides requirements that must be met for filing a late petition for party status. The proposed rule added a provision for late raised issues. Late raised issues are already addressed in paragraph 624.4(b)(1). The Department is removing the reference to late raised issues from 624.5(c) and deleting the proposed paragraph 624.5(c)(3) and returning the subdivision to its previous language.

Nonsubstantive change to 6 NYCRR 624.5(e).

Subdivision 624.5(e) provides the rights of the parties in a Part 624 permit proceeding. The proposed rule deleted paragraph 624.5(e)(3). That paragraph has been restored to its previous language.

Part 622 Summary

The definitions in Part 622 have been amended to be consistent with the definitions in Part 624. In addition, minor revisions are adopted in the remaining sections of Part 622 for consistency between the Parts.

Part 621 Summary

Subdivisions 6 NYCRR 621.10(h), 621.11(g) and 621.13(d), (e) and (h) have been amended to require an applicant requesting a hearing pursuant to those subdivisions to also comply with the filing requirements of section 624.2 and section 750-1.26 of this Title.

Subpart 750-1 Summary

Section 750-1.26 has been adopted to: 1) assure that the Department maintains an approved SPDES program at least as stringent as the federal program and 2) effectuate water quality protection by staying the effect only of certain conditions in new SPDES permits that may be adjudicated pursuant to Part 624.

Nonsubstantive change to 6 NYCRR 750-1.26(b)(2).

A reference to section 621.10 was added to paragraph 750-1.26(b)(2) for consistency with the scope in paragraph 750-1.26(a)(2).

Nonsubstantive change to 6 NYCRR 750-1.26(c)(4).

Paragraph 750-1.26(c)(4) requires an explanation of why the issues associated with the contested condition(s) in the new SPDES permit were not required to be raised during the public comment period. To clarify when that paragraph applies, the following language was added: "For any issue that was not raised during the public comment period..."

Nonsubstantive changes to 6 NYCRR 750-1.26(c)(7)(i), 750-1.26(c)(7)(ii)(b'), 750-1.26(e)(3)(i) and 750-1.26(i)(2).

As the Director for the Division of Water is not deciding the merits of the information required by subdivision 750-1.26(c), the temporary measures, in paragraph 750-1.26(c)(7), are not modifications of the SPDES permit. To clarify this point, language from paragraph 750-1.26(c)(8) replaced language in subparagraph 750-1.26(c)(7)(i) and clause 750-1.26(c)(7)(ii)(b'). Corresponding changes were made in subparagraph 750-1.26(e)(3)(i) and paragraph 750-1.26(i)(2).

Nonsubstantive change to 6 NYCRR 750-1.26(g)

A formatting change was made to subdivision 750-1.26(g) to change the paragraph references to a numerical format.

Final rule as compared with last published rule: Nonsubstantial changes were made in sections 624.4(c), 624.5, 624.2(c)(3), 750-1.26(b), (c), (e), (g) and (i).

Text of rule and any required statements and analyses may be obtained from: Michael S. Caruso, Department of Environmental Conservation, 625 Broadway, 1st Floor, Albany, NY 12233-1550, (518) 402-9003, email: DEC.sm.Part624Rulemaking@dec.ny.gov

Revised Regulatory Impact Statement

Changes made to the last published rule do not necessitate revision to the previous published RIS because the changes are nonsubstantive and do

not affect the Department's statutory authority, legislative objective and the needs and benefits of the rulemaking. The changes maintain regulatory standards and do not affect the Department's published analysis related to costs, local government mandates, paperwork, duplication, alternatives, federal standards and compliance schedule provided in the previous published RIS.

Revised Regulatory Flexibility Analysis

Changes made to the last published rule do not necessitate revision to the previous published statement explaining why a RFA is not required because the changes are nonsubstantive and do not affect the previous published statement that the adoption of the new Part 624 and amendments to Parts 621 and 622, and Subpart 750-1 will not impose any reporting, recordkeeping or other compliance requirements on small businesses or local governments.

Revised Rural Area Flexibility Analysis

Changes made to the last published rule do not necessitate revision to the previous published statement explaining why a RAFA is not required because the changes are nonsubstantive and do not affect the previous published statement that the adoption of the new Part 624 and amendments to Parts 621 and 622, and Subpart 750-1 will not impose an adverse impact on rural areas.

Revised Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previous published statement explaining why a JIS is not required because the changes are nonsubstantive and do not affect the previous published statement that the adoption of the new Part 624 and amendments to Parts 621 and 622, and Subpart 750-1 is not expected to create an adverse impact on jobs and employment opportunities in New York State.

Initial Review of Rule

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

Assessment of Public Comment

The New York State Department of Environmental Conservation (NYSDEC) received comments in response to the proposed rulemaking to repeal and replace Part 624, amend Parts 621 and 622, and amend Subpart 750-1 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York published in the New York State Register on February 28, 2024 (Proposed Rule). A full assessment of Public Comments can be found on NYSDEC's website at <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations>.

General comments were concerned with the lack of time frames for completing hearings, issues rulings, reports and interim decisions and recommended time frames be included in the Proposed Rule. Due to the varying diversity and complexity of individual permit matters, covering many different programs and topics, and subject to different laws and regulations, fixed deadlines or time frames are impractical. Some matters have only one or two proposed issues and others have dozens of proposed issues with thousands of pages of supporting documents. As such, no changes to the Proposed Rule are necessary for this comment area.

One comment recommended that briefing occur before an issues conference to allow petitioners for party status additional time to provide details on the subject matter of a proposed expert's testimony. Proposed legal and factual issues must be presented in the applicant's statement of issues and a potential party's petition for party status. There is no need for a briefing that repeats what is already required to be provided. This would further delay the start of the issues conference. Also, under the current and proposed regulations, petitions may be bolstered during the issues conference. No changes to the Proposed Rule are necessary for this comment area.

Commenters also take issue with the required contents for a petition and statement of issues. Proposed legal and factual issues must be presented in the applicant's statement of issues and a potential party's petition for party status. Identification of witnesses, expert or otherwise, in petitions for full-party status has been required since 1993. In addition, the proposed amendments incorporate administrative precedent and clarify: 1) what is to be included in support of a petition for party status, and 2) by requiring the applicant to provide support for the dispute over a substantial term or condition in the statement of issues prior to the issues conference. This ensures meaningful review of the issues in dispute during the issues conference. Subdivision 750-1.26(c) requires the inclusion of certain information in a request for an adjudicatory proceeding for a new SPDES permit, complimenting the requirements of subdivisions 624.2(a) and (b). No changes to the Proposed Rule are necessary for this comment area.

One comment asserts that the Proposed Rule, including section 750-1.26, changes the standard for an applicant to raise issues for adjudication. The standard has not changed. The proposed amendment incorporates

administrative precedent and current practice by requiring the applicant to provide support for the dispute over a substantial term or condition through the statement of issues prior to the issues conference. Again, this ensures meaningful review of the issues in dispute during the issues conference. No changes to the Proposed Rule are necessary for this comment area.

One comment raises concerns about the clarity of the proposed amendment to section 624.5(c)(3) regarding late raised issues. NYSDEC agrees and determines the proposed change is not needed. The proposed paragraph 624.5(c)(3) has been removed because paragraph 624.4(b)(1) already provides the basis for proposing and hearing late raised issues.

One comment is concerned with the deletion of paragraph 624.5(e)(3), which provides that parties seeking party status, or “potential parties,” are permitted to participate in the proceeding until a final determination has been made on party status. The proposed amendment would remove that right, and the comment recommends rejecting that change. NYSDEC agrees. The proposed deletion has been removed, and the original language will remain.

Comments on proposed section 750-1.26 question why the provisions are limited to the SPDES program. NYSDEC recognizes that such provisions may be proposed for other permitting programs in the future, but there is no need to change the Proposed Rule based on the comments.

One commenter expresses concern that paragraph 750-1.26(n) will limit the issues that can be raised by petitioners. It is the express intent of section 750-1.26 that, when a request for a hearing is made by an applicant or permittee pursuant to sections 621.10, 621.11 or 621.13, the issues, that may be considered for adjudication, be limited to those conditions stayed pursuant to section 750-1.26. Since 1993, Part 624 has limited issues that may be adjudicated when a permit is modified, suspended or revoked, to those related to the basis for the modification, suspension or revocation. Section 750-1.26 provides a similar limit for SPDES permits subject to that section. However, to further clarify this point, a new paragraph (9) was added in subdivision 624.4(c). Otherwise, no changes to the Proposed Rule are necessary for this comment area.

One commenter raises concerns related to the process for a draft SPDES permit. Nothing in the Proposed Rule changes the timeframes for applicants to review and comment on draft SPDES permits or the timeframes for requesting an adjudicatory proceeding pursuant to Part 621. No changes to the Proposed Rule are necessary for this comment area.

One commenter asserts that section 750-1.26 conflicts with the ECL. ECL Article 70 (Uniform Procedures Act) and 6 NYCRR Part 621 remain the procedures for the submission and review of permit applications, including for SPDES permits. Section 750-1.26 does not change those procedures. However, the procedural changes in section 750-1.26 are necessary to protect water quality. Without these regulatory amendments, the uncontested water quality protections of a SPDES permit are stayed until DEC issues a final decision. Simply adopting paragraph 750-1.26(g)(i) is insufficient as 750-1.26(g)(1) (corrected from the proposed rule) does not identify the uncontested or severable conditions. No changes to the Proposed Rule are necessary for this comment area.

One commenter asserts that the requirements of section 750-1.26 are unduly burdensome and will deprive SPDES permittees of an opportunity for a hearing. The requirements of section 750-1.26 are not unduly burdensome as the permittee is already in possession of the required information. The suggested change for paragraph 750-1.26(c)(4) was made to clarify the intent. Paragraph 750-1.26(c)(5) is one of the required elements of a request for an adjudicatory proceeding on a new SPDES permit, complementing the requirements of subdivisions 624.2(a) and (b). The procedural changes in section 750-1.26, including paragraph 750-1.26(c)(7), are necessary to protect water quality during the pendency of the adjudication of the stayed conditions in new SPDES permits. The Director for the Division of Water is simply ensuring that the permittee provides the information required by subdivision 750-1.26(c) in a request for an adjudicatory proceeding. The Director for the Division of Water is not deciding the merits of the information required by subdivision 750-1.26(c). The process set forth in section 621.13 applies if DEC determines that there are necessary modifications to the new SPDES permit. To clarify this point, language from paragraph 750-1.26(c)(8) replaced language in subparagraph 750-1.26(c)(7)(i) and clause 750-1.26(c)(7)(ii)(‘b’). Corresponding changes were made in subparagraph 750-1.26(e)(3)(i) and paragraph 750-1.26(i)(2). Section 750-1.26 applies where there are no permits, other than SPDES permits, for the project, and there is a challenge to that SPDES permit. No other changes to the Proposed Rule are necessary for this comment area.

One commenter asserts that section 750-1.26 violates the principles of due process by placing critical decisions in the purview of the Director of the Division of Water. The Director for the Division of Water is not involved in the adjudicatory proceeding. The Director for the Division of Water is simply ensuring that the required information is provided but is not deciding the merits of the information required by subdivision 750-1.26(c). There is no change in the role of the ALJ to determine what issues

are adjudicable, if any. No changes to the Proposed Rule are necessary for this comment area.

One commenter asserts that the purpose of section 750-1.26 is unsupported, rendering the proposed changes arbitrary. Prior to the amendments, a request for an adjudicatory proceeding could be submitted void of any details as to the actual dispute over a substantial term or condition of the permit. Subdivision 750-1.26(c) requires the inclusion of certain information in a request for an adjudicatory proceeding on a new SPDES permit, complementing the requirements of subdivisions 624.2(a) and (b). There is no change in the role of the ALJ to determine what issues are adjudicable, if any. However, the ALJ makes that decision after the adjudicatory proceeding starts. That process creates an inefficiency and detriment to water quality. Without these regulatory amendments, the uncontested water quality protections of a SPDES permit are stayed until DEC issues a final decision. No changes to the Proposed Rule are necessary for this comment area.

NOTICE OF ADOPTION

Regulations Governing the Recreational Fishing of Scup and Summer Flounder

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

Filing No. 675

Filing Date: 2024-08-05

Effective Date: 2024-08-21

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

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 or summary was published in the April 17, 2024 issue of the Register, I.D. No. ENV-16-24-00003-EP.

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

Text of rule and any required statements and analyses may be obtained from: Rachel Sysak, Department of Environmental Conservation, 123 Kings Park Blvd., Kings Park, 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.

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.

Higher Education Services Corporation

NOTICE OF ADOPTION

New York State District Attorney and Indigent Legal Services Attorney Loan Forgiveness Program

I.D. No. ESC-23-24-00004-A

Filing No. 689

Filing Date: 2024-08-13

Effective Date: 2024-08-21

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

Action taken: Addition of section 2201.9 to Title 8 NYCRR.

Statutory authority: Education Law, sections 653, 655 and 679-e

Subject: New York State District Attorney and Indigent Legal Services Attorney Loan Forgiveness Program.

Purpose: To implement section 679-e of the Education Law.

Text or summary was published in the June 5, 2024 issue of the Register, I.D. No. ESC-23-24-00004-P.

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

Text of rule and any required statements and analyses may be obtained from: Ellen Krejci, Higher Education Services Corporation, 99 Washington Avenue, Albany, New York 12255, (518) 402-3058, email: generalcounsel@hesc.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.

Public Service Commission

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-08-24-00007-A

Filing Date: 2024-07-31

Effective Date: 2024-07-31

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

Action taken: On 7/18/24, the PSC adopted an order authorizing Fulton Property Owner LLC's (Fulton) notice of intent to submeter electricity at 1215 Fulton Street, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve Fulton's notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on July 18, 2024, adopted an order authorizing Fulton Property Owner LLC's notice of intent to submeter electricity at 1215 Fulton Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the February 21, 2024 issue of the Register, I.D. No. PSC-08-24-00007-P.

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

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

Assessment of Public Comment

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

(23-E-0673SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-10-24-00002-A

Filing Date: 2024-07-31

Effective Date: 2024-07-31

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

Action taken: On 7/18/24, the PSC adopted an order authorizing 644 East 14th Street Owner LLC's (644 East 14th) petition to submeter electricity at 644 East 14th Street, New York, New York.

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

Subject: Submetering of electricity.

Purpose: To approve 644 East 14th's petition to submeter electricity.

Substance of Final Rule: The Commission, on July 18, 2024, adopted an order authorizing 644 East 14th Street Owner LLC's petition to submeter electricity at 644 East 14th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the March 6, 2024 issue of the Register, I.D. No. PSC-10-24-00002-P.

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

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

Assessment of Public Comment

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

(23-E-0535SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-10-24-00003-A

Filing Date: 2024-07-31

Effective Date: 2024-07-31

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

Action taken: On 7/18/24, the PSC adopted an order authorizing Pacific Hicks Owner 1 LLC's (Pacific Hicks) notice of intent to submeter electricity at 350 Hicks Street, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve Pacific Hicks' notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on July 18, 2024, adopted an order authorizing Pacific Hicks Owner 1 LLC's notice of intent to submeter electricity at 350 Hicks Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the March 6, 2024 issue of the Register, I.D. No. PSC-10-24-00003-P.

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

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

Assessment of Public Comment

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

(23-E-0549SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-10-24-00005-A

Filing Date: 2024-07-31

Effective Date: 2024-07-31

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

Action taken: On 7/18/24, the PSC adopted an order authorizing Dupont Street Owner 2 LLC's (Dupont Street) notice of intent to submeter electricity at 75 Dupont Street, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve Dupont Street’s notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on July 18, 2024, adopted an order authorizing Dupont Street Owner 2 LLC’s notice of intent to submeter electricity at 75 Dupont Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the March 6, 2024 issue of the Register, I.D. No. PSC-10-24-00005-P.

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

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

Assessment of Public Comment

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

(23-E-0489SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-16-24-00008-A

Filing Date: 2024-07-31

Effective Date: 2024-07-31

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

Action taken: On 7/18/24, the PSC adopted an order authorizing Brook NY Residential LLC’s (Brook NY) notice of intent to submeter electricity at 589 Fulton Street, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve Brook NY’s notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on July 18, 2024, adopted an order authorizing Brook NY Residential LLC’s notice of intent to submeter electricity at 589 Fulton Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the April 17, 2024 issue of the Register, I.D. No. PSC-16-24-00008-P.

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

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

Assessment of Public Comment

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

(23-E-0722SA1)

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

Notice of Intent to Submeter Electricity and Waiver Request

I.D. No. PSC-34-24-00003-P

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

Proposed Action: The Commission is considering the notice of intent filed by Comunilife, Inc. to submeter electricity at 171 Throop Avenue, Brooklyn, New York, and request for waiver of the energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Notice of intent to submeter electricity and waiver request.

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

Substance of proposed rule: The Commission is considering the notice of intent filed by Comunilife, Inc. (Owner) on May 16, 2024, seeking authority to submeter electricity at a new rental building consisting of 93 rental units, consisting of 92 income-eligible units and one market-rate unit (which will be the unit for the building superintendent), located at 171 Throop Avenue, Brooklyn, New York, in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

On July 22, 2024, the Owner also requested a waiver of 16 NYCRR § 96.5(k)(3), the requirement for an energy audit for buildings where 20 percent or more of the residents receive income-based housing assistance because the building is subject to the New York City Energy Conservation Code, which sets energy efficiency standards for new construction.

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

The Commission is also considering the Owner’s request for waiver of 16 NYCRR § 96.5(k)(3), which requires proof that an energy audit has been conducted when 20 percent or more of the residents receive income-based housing assistance. The Owner states that because the building is new construction, it must comply with the current New York State Energy Conservation Construction Code, which provides strict energy conservation requirements for new and renovated buildings, including the design and construction of energy-efficient building envelopes, mechanical, lighting and power systems, and therefore, an energy audit is not necessary in this instance.

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

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

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

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

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

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

(24-E-0300SP1)

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

Notice of Intent to Submeter Electricity

I.D. No. PSC-34-24-00004-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 the notice of intent filed by First and River LLC to submeter electricity at 650 1st Avenue, New York, New York.

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

Subject: Notice of intent to submeter electricity.

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

Substance of proposed rule: The Commission is considering the notice of intent filed by First and River LLC (Owner) on May 23, 2024, seeking authority to submeter electricity to a new rental building with fair-market units at 650 1st Avenue, New York, New York, 10016, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

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

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

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

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

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

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

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

(24-E-0315SP1)

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

Deferral of Costs Associated with the Development of Utility Thermal Energy Networks

I.D. No. PSC-34-24-00005-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 New York State Gas & Electric Corporation to increase the interim cap on the deferral of costs for its Utility Thermal Energy Network Pilot Project through Stage 2 of its development.

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

Subject: Deferral of costs associated with the development of Utility Thermal Energy Networks.

Purpose: To determine the appropriate funding for the development of a proposed Utility Thermal Energy Network Pilot Project.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on July 29, 2024, by New York State Gas & Electric Corporation (NYSEG) seeking authorization to defer up to an additional \$3.52 million to develop its Ithaca thermal energy pilot project.

Pursuant to Public Service Law § 66-t, on September 15, 2022, the Commission issued an Order on Developing Thermal Energy Networks Pursuant to the Utility Thermal Energy Network and Jobs Act, which directed the seven largest gas, electric, and combination gas and electric utilities, including NYSEG, to submit pilot utility thermal energy network project proposals. On January 9, 2023, NYSEG submitted two pilot proposals, referred to as the Ithaca Pilot and the Norwich Pilot. On September 14, 2023, the Commission issued the Order Providing Guidance on Development of Utility Thermal Energy Network Pilot Projects (Guidance Order). The Guidance Order established multiple stages for development and operation of the pilot projects, as relevant here, Stage 1: Pilot Project Scope, Feasibility, and Stakeholder Engagement; and Stage 2: Pilot Project Engineering Design and Customer Protection Plan. The Guidance Order also authorized NYSEG, among the other utilities, to spend 10% of the total estimated cost of developing each pilot through Stage 2 of development. The Guidance Order allowed NYSEG to defer \$1.5 million for the Ithaca Pilot and \$1.3 million for the Norwich Pilot, or in aggregate, \$2.8 million, through the completion of Stage 2. On April 8, 2024, NYSEG submitted a filing to the Commission withdrawing

its Norwich Pilot. On April 9, 2024, Department of Public Service Staff issued a letter approving NYSEG's Ithaca Pilot proposal to move forward to Stage 2 of development.

According to the petition, NYSEG forecasts a total need of \$5.02 million for the Ithaca Pilot, which is \$3.25 million more than the amount the Guidance Order authorized NYSEG to defer for the Ithaca Pilot project. This additional funding is needed for internal labor and engineering-related services through Stage 2 of the pilot. The labor request covers four full time equivalent employees. The engineering-related request covers costs related to permitting, land purchases, and third-party services such as well test drilling, the development of an emergency plan, and a damage prevention program. The Commission is also considering whether NYSEG should continue developing the Ithaca Pilot project.

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

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

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

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

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

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

(22-M-0429SP15)

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

Waiver of 16 NYCRR Sections 85-2.3(c), 86.3(a)(2), 86.3(b), and 88.4(a)(4)

I.D. No. PSC-34-24-00006-P

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

Proposed Action: The Commission is considering a motion filed by National Grid for waiver of certain provisions of 16 NYCRR regarding requirements for applications under PSL Article VII for Certificates of Environmental Compatibility and Public Need.

Statutory authority: Public Service Law, sections 4 and 122

Subject: Waiver of 16 NYCRR sections 85-2.3(c), 86.3(a)(2), 86.3(b), and 88.4(a)(4).

Purpose: To consider a waiver of certain regulations relating to the content of an application for a rebuild of a transmission line.

Substance of proposed rule: The Public Service Commission (Commission) is considering a motion filed by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid or the Applicant) on June 24, 2024, seeking waiver of Commission regulations 16 NYCRR §§ 86.3(a)(2), 86.3(b), and 88.4(a)(4) which pertain to mapping requirements, aerial photographs and submission of a system reliability impact study for applications filed pursuant to Public Service Law (PSL) Article VII. National Grid filed an Article VII petition on June 24, 2024, seeking authorization for the proposed rebuild of an existing 115 kV transmission line from the Colton Substation in the Town of Pierrepont to the Nicholville Substation in the Town of Lawrence, St. Lawrence County, for a distance of approximately 18.3 miles (Project). The Project is located in the Towns of Pierrepont, Parishville, Hopkinton, and Lawrence in St. Lawrence County.

16 NYCRR § 86.3(a)(2) requires that the Applicant submit New York State Department of Transportation (NYSDOT) maps at a scale of 1:250,000 depicting the relationship of the proposed facility to the Applicant's overall electrical system. Applicant asserts that the NYSDOT required maps of the Project area do not show the required information with sufficient clarity. Applicant requests a waiver of the requirement to submit NYSDOT maps and asks to be allowed to use the latest edition

United States Geological Survey (USGS) 1:250,000 scale topographic edition maps.

16 NYCRR § 86.3(b) requires that the Applicant submit various aerial photographs and in certain situations those photographs must be taken within six months of the date its application was filed. Applicant requests waiver of the requirement that the submitted photographs be taken within six months. Applicant submitted photographs taken in March of 2020 and September of 2023 and according to the Applicant reflect the current situation.

16 NYCRR § 88.4(a)(4) requires that Applicant submit a system reliability impact study which shows the effect of the proposed transmission facility on stability of the interconnected system. Applicant maintains it has informed the New York Independent System Operator (NYISO) that it does not believe the study is required because the Project is a rebuild of an existing transmission line. The Applicant is awaiting confirmation from the NYISO that such study is not required and requests waiver of the requirement to submit the system reliability impact study with the application.

Finally, pursuant to 16 NYCRR § 85-2.3(c), the Applicant is also seeking to provide the electromagnetic field study (EMF) at a future date.

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

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

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

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

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

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

(24-T-0373SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Applicable Regulatory Regime for the Owner and Operator of a Solar-powered Generation Facility

I.D. No. PSC-34-24-00007-P

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

Proposed Action: The Commission is considering a petition filed by Brookside Solar, LLC seeking a lightened regulatory regime in relation to its ownership and operation of a proposed solar generation facility in the Towns of Burke and Chateaugay in Franklin County, NY.

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

Subject: Applicable regulatory regime for the owner and operator of a solar-powered generation facility.

Purpose: To determine whether a lightened regulatory regime is consistent with the Public Service Law.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Brookside Solar, LLC (Brookside Solar) on July 10, 2024, seeking a lightened regulatory regime under the Public Service Law in relation to its ownership and operation of its proposed solar generation facility, sized up to 100 megawatts, located in the Towns of Burke and Chateaugay in Franklin County, New York.

Brookside Solar requests an order providing that they will be regulated as an electric corporation under a lightened regulatory regime consistent with that imposed on the owners-operators of other competitive wholesale generators. Brookside Solar is also seeking a Certificate of Public Convenience and Necessity pursuant to Public Service Law § 68.

The full text of the petition and the full record of the proceeding

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

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

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

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

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

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

(24-E-0411SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Proposed Transfer of Real Property and System Assets

I.D. No. PSC-34-24-00008-P

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

Proposed Action: The Commission is considering the joint petition of JD Holding CO, LLC, JD Water Company, Inc., and the Town of Bethel, requesting a transfer of JD Water Company, Inc. to the Town of Bethel and for JD Water to dissolve.

Statutory authority: Public Service Law, sections 4(1), 5(1)(f), 89-b, and 89-h(1) and 108

Subject: Proposed transfer of real property and system assets.

Purpose: To consider whether the terms of the transfer are in the public interest.

Substance of proposed rule: The Commission is considering the joint petition (Petition), filed by JD Holding Co., LLC, JD Water Company, Inc. (the Company), and Town of Bethel (Purchaser or the Town) filed on May 30, 2024, for the sale of the water system and transfer of real property and the water system's assets to the Town of Bethel.

JD Water Company Inc. operates a seasonal water system by which it provides metered water service to approximately 400 customers in the Town of Bethel. The Company owns eight real property lots, located in the Town of Bethel within Sullivan County. The Company would be transferring the water system and all associated assets to the Town. The Purchaser would pay \$225,000 (Purchase Price) in consideration of the transfer. A Purchase and Sale Agreement ("Agreement") dated November 29, 2023, outlines the terms between the Company and Purchaser for the sale of the water system and assets. The Petition states that the transfer will reduce certain costs associated with the provision of service, including property taxes on the real property. The Petition further states that the Town will be capable of obtaining more affordable funding to facilitate necessary system upgrades and improvements in the future. For these reasons, the Petition requests the issuance of an Order that finds the terms and conditions of the Agreement to be in the public's interest and that authorizes the transfer of the water system and assets to the Purchaser.

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

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

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

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(24-W-0326SP1)

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

Notice of Intent to Submeter Electricity**I.D. No.** PSC-34-24-00009-P

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

Proposed Action: The Commission is considering the notice of intent of Queensview, Inc. to submeter electricity at 21-66 33rd Road, Queens, New York.

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

Subject: Notice of intent to submeter electricity.

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

Substance of proposed rule: The Commission is considering a notice of intent filed by Queensview, Inc. (Owner) on May 13, 2024, seeking authority to submeter electricity at an existing co-operative building comprised of 726 units, located at 21-66 33rd Road, Queens, NY 11106, in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison)

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

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

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

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

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(24-E-0291SP1)

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

NYSRC Reliability Rules and Measurements**I.D. No.** PSC-34-24-00010-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 revisions to the Reliability Rules and Compliance Manual (Manual) of the New York State Reliability Council (NYSRC), as contained in Version 47 of the NYSRC's Manual.

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

Subject: NYSRC reliability rules and measurements.

Purpose: To consider revisions to various rules and measurements of the NYSRC used to support safe and reliable electric service.

Substance of proposed rule: The Public Service Commission (Commission) is considering revisions to the New York State Reliability Council's (NYSRC) Reliability Rules and Compliance Manual (Manual), as contained in Version 47 of the Manual, which was adopted by the NYSRC Executive Committee on June 14, 2024 and filed with the Commission on July 3, 2024 (the Filing).

Version 47 of the Manual includes, among other matters, a new Reliability Rule B.5 establishing interconnection standards for large inverter-based resource facilities, together with an associated procedures document and new glossary terms (Proposed Reliability Rule 151); a revised Table B-1 to add new Category I and II contingency events for loss of gas fuel and clarification of extreme contingency event 10 to apply to multiple fossil fuel plants in Table B-3 (Proposed Reliability Rule 153a); and a Revised Rule B.1: R1.1 and Table B-3 to include system conditions related to weather conditions (Proposed Reliability Rule 154a).

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

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

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

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(05-E-1180SP21)

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

Notice of Intent to Submeter Electricity and Waiver Request**I.D. No.** PSC-34-24-00011-P

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

Proposed Action: The Commission is considering the notice of intent filed by 470 Kent Avenue Associates, LLC to submeter electricity at 480, 482, and 484 Kent Avenue, Brooklyn, New York, and request for waiver of the energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Notice of intent to submeter electricity and waiver request.

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

Substance of proposed rule: The Commission is considering the notice of intent filed by 470 Kent Avenue Associates LLC (Owner) on April 15, 2024, seeking authority to submeter electricity at a new building complex consisting of 89 condominium units and 335 rental units, consisting of 101 income eligible units and 234 market rate units, located at 480, 482, and 484 Kent Avenue, Brooklyn, New York, in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

The Owner also requests waiver of 16 NYCRR § 96.5(k)(3), the requirement for an energy audit for buildings where 20 percent or more of the residents receive income-based housing assistance.

In the notice of intent, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Once approved by the Commission, submetering of electricity to residential tenants is allowed so long as it complies

with the protections and requirements of the Commission’s regulations in 16 NYCRR Part 96.

The Commission is also considering the Owner’s request for waiver of 16 NYCRR § 96.5(k)(3), which requires proof that an energy audit has been conducted when 20 percent or more of the residents receive income-based housing assistance. The Owner states that because the building is new construction, it must comply with the current New York State Energy Conservation Construction Code, which provides strict energy conservation requirements for new and renovated buildings, including the design and construction of energy-efficient building envelopes, mechanical, lighting and power systems, and therefore, an energy audit is not necessary in this case.

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

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

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

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

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

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

(24-E-0229SP1)

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

Deferral of Costs Associated with the Development of Utility Thermal Energy Networks

I.D. No. PSC-34-24-00012-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 Rochester Gas & Electric Corporation to increase the interim cap on the deferral of costs for its Utility Thermal Energy Network Pilot Project through Stage 2 of its development.

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

Subject: Deferral of costs associated with the development of Utility Thermal Energy Networks.

Purpose: To determine the appropriate funding for the development of a proposed Utility Thermal Energy Network Pilot Project.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on July 29, 2024, by Rochester Gas and Electric Corporation (RG&E) seeking authorization to defer up to an additional \$2.1 million to develop its thermal energy pilot project.

Pursuant to Public Service Law § 66-t, on September 15, 2022, the Commission issued an Order on Developing Thermal Energy Networks Pursuant to the Utility Thermal Energy Network and Jobs Act, which directed the seven largest gas, electric, and combination gas and electric utilities, including RG&E, to submit pilot utility thermal energy network project proposals. On January 9, 2023, RG&E submitted one pilot project, referred to as the Rochester Pilot. On September 14, 2023, the Commission issued the Order Providing Guidance on Development of Utility Thermal Energy Network Pilot Projects (Guidance Order). The Guidance Order established multiple stages for development and operation of the pilot projects, as relevant here, Stage 1: Pilot Project Scope, Feasibility, and Stakeholder Engagement; and Stage 2: Pilot Project Engineering Design and Customer Protection Plan. The Guidance Order also authorized RG&E, among the other utilities, to spend 10% of the total estimated cost of developing each

pilot through Stage 2 of development. The cost cap for RG&E allows it to defer \$1.3 million through the completion of Stage 2. On April 9, 2024, Department of Public Service Staff issued a letter approving RG&E’s pilot proposal to move forward to Stage 2 of development.

According to the petition, RG&E forecasts a total need of \$3.4 million through Stage 2 to develop the Rochester Pilot, which is \$2.1 million more than the amount authorized by the Guidance Order. RG&E states that the additional funding is needed for internal labor and engineering-related services. The labor request covers a total of four full-time equivalent employees. The engineering-related request covers costs related to permitting, land purchases, and third-party services such as well test drilling, developing operational requirements, the development of an emergency plan, and a danger prevention program. The Commission is also considering whether RG&E should continue developing the Rochester Pilot project.

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

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

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

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

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

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

(22-M-0429SP14)

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-28-24-00025-P	6 NYCRR Part 664, Fresh Water Wetlands Jurisdiction and Classification	Virtual via Webex (see DEC Website)—September 10, 2024, 1:00 p.m. Virtual via Webex (see DEC Website)—September 10, 2024, 6:00 p.m. Department of Environmental Conservation, 625 Broadway, Albany, NY—September 12, 2024, 1:00 p.m.
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.
ENV-32-24-00029-P	Revision and Update of the List of Endangered, Threatened and Special Concern Species	Virtual via Webex—October 10, 2024, 1:00 p.m. Virtual via Webex—October 10, 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: 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).
Long Island Power Authority		
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.

ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals

listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	0001	P

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

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

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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AUDIT AND CONTROL, DEPARTMENT OF

AAC-34-24-00002-P 08/21/25	Procedure to determine disability retirement applications under Articles 14 and 15 of the Retirement and Social Security Law.	To broaden committee-eligible titles and account for changes to the Retirement and Social Security Law.
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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

CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-36-23-00023-P	..... 09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
CFS-18-24-00023-P	..... 05/01/25	Trafficking Victims	To conform regulations to Public Law 117-348, The Trafficking Victims Prevention and Protection Reauthorization Act of 2022

Action Pending Index**NYS Register/August 21, 2024**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-19-24-00006-P	05/08/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-19-24-00007-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-19-24-00008-P	05/08/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-19-24-00009-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-19-24-00010-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-19-24-00011-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-19-24-00012-P	05/08/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-19-24-00013-P	05/08/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-19-24-00014-P	05/08/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-19-24-00015-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-19-24-00016-P	05/08/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-19-24-00017-P	05/08/25	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify positions in the non-competitive class
CVS-19-24-00018-P	05/08/25	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class
CVS-24-24-00001-P	06/12/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-24-24-00002-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-24-00003-P	06/12/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-24-00004-P	06/12/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-24-00005-P	06/12/25	Jurisdictional Classification	To delete positions from the non-competitive class
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
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

Action Pending Index

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
CVS-32-24-00002-P	08/07/25	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-32-24-00003-P	08/07/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-32-24-00004-P	08/07/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-32-24-00005-P	08/07/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-24-00006-P	08/07/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-24-00007-P	08/07/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-32-24-00008-P	08/07/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-24-00009-P	08/07/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-24-00010-P	08/07/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-24-00011-P	08/07/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-32-24-00012-P	08/07/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-32-24-00013-P	08/07/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-32-24-00014-P	08/07/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-24-00015-P	08/07/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-32-24-00016-P	08/07/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-32-24-00017-P	08/07/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-32-24-00018-P	08/07/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-24-00019-P	08/07/25	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-32-24-00020-P	08/07/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-24-00021-P	08/07/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-24-00022-P	08/07/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-24-00023-P	08/07/25	Jurisdictional Classification	To add a subheading and to classify positions in the non-competitive class
CVS-32-24-00024-P	08/07/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-32-24-00025-P	08/07/25	Jurisdictional Classification	To classify and/or delete a subheading and positions in both the exempt and non-competitive classes.
CVS-32-24-00026-P	08/07/25	Jurisdictional Classification	To delete positions from the non-competitive class
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-16-24-00004-P	04/17/25	Registration of certain firearms, rifles, shotguns, finished frames or receivers, and unfinished frames or receivers	To provide for a registry of firearms, shotguns, finished or unfinished frames or receivers serialized per Penal Law 265.07
CJS-25-24-00002-EP	06/18/25	Firearm Licensing Appeals	Set forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or revocation
EDUCATION DEPARTMENT			
EDU-48-23-00013-RP	11/28/24	Charter school financing	See attached.
EDU-18-24-00020-EP	05/01/25	Supervisor requirements for wholesalers transfilling medical oxygen	To implement Chapter 590 of the Laws of 2023

Action Pending Index**NYS Register/August 21, 2024**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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-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
EDU-31-24-00004-EP	07/31/25	Completion of the free application for Federal Student Aid (FAFSA) by seniors enrolled in school districts	To implement section 1 of Part C of Chapter 56 of the Laws of 2024.
EDU-31-24-00005-EP	07/31/25	Extending Flexibility for Incidental Teaching.	Enable school districts to address ongoing staffing challenges by providing them with flexibility in making teaching assignments
EDU-31-24-00006-EP	07/31/25	Flexibilities for supplementary certificate/ supplementary bilingual education extension requirements.	See attached.
EDU-31-24-00008-EP	07/31/25	Extending the validity period of Emergency COVID-19 certificates.	See attached.
EDU-34-24-00001-EP	08/21/25	Special education due process hearings.	See attached.
ELECTIONS, STATE BOARD OF			
SBE-30-24-00001-EP	07/24/25	Adds email or telephone number to the information required to be captured on a contribution card.	To assist in the verification, auditing, and processing of contributions in order to pay public matching funds.
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-08-24-00011-P	04/22/25	Science-based State sea level rise projections	To establish a common source of sea-level rise projections for consideration in relevant programs and decision-making
ENV-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-16-24-00009-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.
ENV-32-24-00027-P	08/07/25	SPDES Incorporation by Reference	Update references that are incorporated into the State Pollutant Discharge Elimination System Permitting Program
ENV-32-24-00029-P	10/10/25	Revision and update of the list of endangered, threatened, and special concern species	To update the list of species in 6 NYCRR Section 182.5 to reflect the Department's best available scientific information.
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-08-24-00001-P	02/20/25	Network Adequacy and Access Standards	To establish network adequacy and access standards and other protections to improve access to behavioral health services
DFS-13-24-00003-P	03/27/25	Definitions, licensing of PBMs, contracting with network pharmacies, acquisition of PBMs, consumer protections, and audits	Establish definitions, licensing, contracting with pharmacies, acquisition of PBMs, consumer protections, and audit regulations
DFS-29-24-00007-P	07/17/25	Principle-Based Reserving	To adopt the 2024 Valuation Manual.
DFS-32-24-00028-P	08/07/25	Charges for Professional Health Services	To update the website link to the Official New York Workers' Compensation DME Fee Schedule.
GAMING COMMISSION, NEW YORK STATE			
SGC-25-24-00003-P	06/18/25	Whip use in harness racing	To promote the health and safety of racehorses
GAMING FACILITY LOCATION BOARD, NEW YORK			
GFB-31-24-00016-P	07/31/25	Minimum capital investment for additional gaming facility.	To establish a minimum capital investment amount for additional gaming facilities.
GFB-31-24-00017-P	07/31/25	License fee for additional gaming facility.	To establish a license fee for additional gaming facilities.
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-23-24-00001-P	06/05/25	Disease Outbreak Investigation and Response Clarifications	Authorizes NYSDOH to provide flexibilities to LHDs to prioritize reportable diseases that need to be fully investigated
HLT-26-24-00012-P	06/26/25	Provider Enrollment and Collection of Patient Consent to Access Medicaid Confidential Data in the SHIN-NY	To clarify that providers of medical goods and services, rather than the QEs, are required to enroll in the Medicaid program
HLT-27-24-00001-P	07/03/25	Contingent Reserve Requirements for Managed Care Organizations (MCOs)	Maintains the contingent reserve requirement at 7.25% through 2025 applied to the Medicaid Managed Care, HIV SNP & HARP programs
HLT-28-24-00021-P	07/10/25	Emergency Medical Services Equipment Requirements for Certified Ambulance and Emergency Ambulance Service Vehicles	To update requirements to meet current industry standards that address patient and provider safety & manufacturing guidelines.
HLT-32-24-00001-P	08/07/25	Program for All-Inclusive Care for the Elderly (PACE) Licensure	To set up the licensure and establishment requirements for the unified PACE program licensure.
HIGHER EDUCATION SERVICES CORPORATION			
ESC-23-24-00004-P	06/05/25	New York State District Attorney and Indigent Legal Services Attorney Loan Forgiveness Program	To implement section 679-e of the Education Law
LABOR, DEPARTMENT OF			
LAB-37-23-00003-P	09/12/24	Pay Transparency in Job Advertisements	To increase pay transparency in job advertisements pursuant to Labor Law § 194-b
LAB-22-24-00011-P	05/29/25	Public Work Contractor Registry	To implement the public work contractor registry required by Labor Law § 220-i
LAW, DEPARTMENT OF			
LAW-24-24-00023-P	06/12/25	Preclearance under the New York Voting Rights Act ("NYVRA")	Clarify elements of the NYVRA preclearance process; provide guidance to regulated jurisdictions
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff fo	To update the small generator interconnection procedures consistent with Public Service Commission guidance
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
LPA-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-RP	..... 01/23/25	Admission and Discharge Criteria for Psychiatric Inpatient Units of General Hospitals	To standardize admissions and discharges
OMH-04-24-00007-RP	..... 01/23/25	Admission and Discharge Criteria for Comprehensive Psychiatric Emergency Programs	To standardize admissions and discharges
OMH-04-24-00008-RP	..... 01/23/25	Admission and Discharge Criteria for Hospitals for Persons with Mental Illness	To standardize admissions and discharges

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MENTAL HEALTH, OFFICE OF			
OMH-15-24-00002-P	04/10/25	Prior Approval Review Process	To update the Prior Approval Review Process
OMH-16-24-00001-P	04/17/25	To clarify reimbursement methodologies	To provide for reimbursement methodologies which comply with parity laws
OMH-18-24-00001-P	05/01/25	To provide programs the flexibility in the provisions of both medical and mental health services	To raise the limitation on the total number of annual visits for which a program licensed solely under Article 31 may provide
MOTOR VEHICLES, DEPARTMENT OF			
MTV-36-23-00031-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
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-25-24-00004-P	06/18/25	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc.	To amend Procurement Guidelines to reflect clarifying provisions and change signing authority level
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
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
PDD-31-24-00001-P	07/31/25	Pathway to Employment	To update the pathway to employment regulations as NY becomes an employment first state.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-31-24-00014-P	07/31/25	Support Decision Making	To effectuate the adoption of supported decision-making practices within the OPWDD service system.
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PROSECUTORIAL CONDUCT, COMMISSION ON			
CPC-17-24-00010-P	04/24/25	Operating Rules and Procedures	To provide the operating rules and procedures for the Commission on Prosecutorial Conduct
PUBLIC EMPLOYMENT RELATIONS BOARD			
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.
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC

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PUBLIC SERVICE COMMISSION			
*PSC-10-04-00005-P exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00006-P	..... exempt	Community Choice Aggregation renewable products	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products
*PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-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

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

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

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PUBLIC SERVICE COMMISSION			
*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
*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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-01-24-00018-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-05-24-00002-P	..... exempt	Minor rate filing by Warwick Water Corporation	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preference

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-05-24-00003-P	..... exempt	Application of the Public Service Law (PSL) to a merchant developer and owner of a proposed solar facility	To ensure an applicable regulatory regime under the PSL that is consistent with the public interest
PSC-05-24-00004-P	..... exempt	Waiver of the requirements of velocity steam meter testing for 2023	To consider whether to provide relief from the velocity meter testing requirements for 2023 due to testing facility shutdown
PSC-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
PSC-07-24-00029-P	..... exempt	Energy efficiency and building electrification programs	To implement potential changes to building electrification program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-07-24-00032-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-08-24-00009-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-10-24-00004-P	..... exempt	Remote electric service disconnection and reconnection charges	To ensure that charges assessed to utility customers are just and reasonable
PSC-10-24-00006-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
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-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-12-24-00004-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-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-14-24-00013-P	..... exempt	Petition to modify the submeter approval order	To ensure adequate consumer protections are in place
PSC-14-24-00014-P	..... exempt	Petition for waiver of the requirements in Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units	To determine whether to authorize the waiver request while ensuring consumer and energy efficiency protections are in place
PSC-14-24-00015-P	..... exempt	Petition to modify the submeter approval order	To ensure adequate consumer protections are in place
PSC-15-24-00004-P	..... exempt	Baseline period modification for the commercial managed charging EAM for program year 2024	To consider a modified peak avoidance baseline and baseline enrollment period and a shortened enrollment baseline growth period
PSC-15-24-00005-P	..... exempt	Recovery of costs to cure tax liabilities	To determine if Liberty should recover the costs to cure certain tax liabilities of Arbor Hills Waterworks, Inc.
PSC-15-24-00006-P	..... exempt	Pole attachment charges update	To provide pole attachment services at just and reasonable rates
PSC-15-24-00007-P	..... exempt	Proposal to modify the MRP related to EV supply equipment requirements, and incentive eligibility requirements	To modify aspects of the MRP in order to avoid disruptions to EV charging infrastructure deployment
PSC-16-24-00007-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-18-24-00007-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-18-24-00008-P	..... exempt	Partnership for the Urban Revitalization in Western New York Program revisions	To consider and review proposed program modifications
PSC-18-24-00009-P	..... exempt	Electric metering equipment	To ensure that consumer bills are based on accurate measurements of electric usage
PSC-18-24-00010-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-18-24-00011-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-18-24-00012-P	..... exempt	Modifications of the Immediate Solutions Programs including less stringent data reporting requirements and modification process	To consider modifications to the Immediate Solutions Programs to increase customer engagement and program flexibility
PSC-18-24-00013-P	..... exempt	Proposed major rate increase in electric delivery revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-18-24-00014-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generating facility	To determine whether a lightened regulatory regime for Bear Ridge is consistent with the PSL
PSC-18-24-00015-P	..... exempt	The prohibition on service to low-income customers by ESCOs	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs
PSC-18-24-00016-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-18-24-00018-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-20-24-00002-P	..... exempt	Notice of intent to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-20-24-00003-P	..... exempt	Tariff proposal and financing petition	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-20-24-00004-P	..... exempt	Energy affordability and electrification of heat and hot water for low-income customers	The design and implementation of the Energy Affordability Guarantee pilot
PSC-20-24-00005-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-20-24-00006-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-20-24-00007-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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.
PSC-30-24-00002-P	..... exempt	Petition for a special permit exemption and extension.	To determine whether to grant the special permit relating to certain class locations and extend the 18-month period until 2026.
PSC-30-24-00003-P	..... exempt	Proposed revisions to firm gas demand response programs for the 2024 - 2025 winter season and going forward.	To determine if the proposed modifications to firm gas demand response programs are in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-30-24-00004-P	..... exempt	A debt financing arrangement with respect to a proposed solar generating facility.	To consider the requested financing arrangement and what regulatory conditions should apply.
PSC-30-24-00005-P	..... exempt	Automated meter reading technology.	To consider and review reasonableness of proposal and cost recovery.
PSC-30-24-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-30-24-00007-P	..... exempt	Proposed revisions to firm gas demand response programs for the 2024 - 2025 winter season and going forward.	To determine if the proposed modifications to firm gas demand response programs are in the public interest.
PSC-30-24-00008-P	..... exempt	The Clean Energy Standard	To consider the proposals to modify the Clean Energy Standard for further achievement of State clean energy goals.
PSC-31-24-00009-P	..... exempt	To modify the provisions of the System Benefits Charge to allow for interim updates.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-24-00010-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-31-24-00011-P	..... exempt	IEDR User Agreements, Data Security Agreement, Self Attestation, and Green Button Connect Onboarding Process	To ensure that proposed agreements comply with the Commission's Data Access Framework requirements.
PSC-31-24-00012-P	..... exempt	Proposal to modify the Auto- and Term- DLM program procurement mechanism.	To consider alternative, utility-specific procurement methodologies to increase participation in the DLM program.
PSC-31-24-00013-P	..... exempt	Transfer in ownership of battery energy storage system company.	To determine if the transfer is in the public interest.
PSC-31-24-00015-P	..... exempt	Deferral of incremental expenses beyond utility's control for future recovery in rates.	To determine the ratemaking treatment for Corning's incremental interest costs since base rates were last set by the Commission.
PSC-32-24-00030-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-32-24-00031-P	..... exempt	Recommendations regarding the timeline for the CGPP.	To optimize the timeline of the CGPP to ensure safe and adequate service at just and reasonable rates.
PSC-32-24-00032-P	..... exempt	To modify the Low-Income Programs to no longer trigger tax credits to customers, be static, and to not be prorated.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-32-24-00033-P	..... exempt	A debt financing arrangement with respect to a lightly regulated solar generation facility.	To consider the requested financing arrangement and what regulatory conditions should apply.
PSC-32-24-00034-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-24-00035-P	..... exempt	The transfer of water assets from Woodbury to the Village and dissolution of the company.	To ensure the continued supply of water service to the ratepayers of the Woodbury Heights Estates Water Co., Inc.
PSC-32-24-00036-P	..... exempt	Interconnection rules for distributed generation related to financial security for distribution upgrades.	To provide interconnection rules that ensure safe and adequate service at just and reasonable rates.
PSC-32-24-00037-P	..... exempt	Rehearing if the order denying authority to recover incremental costs to implement a new CSS above the \$421 million cap.	To determine whether to authorize temporary accounting treatment for the capital costs in excess of the \$421 million cap.
PSC-32-24-00038-P	..... exempt	Recommendations regarding the CGPP.	To optimize the CGPP to ensure safe and adequate service at just and reasonable rates.
PSC-33-24-00001-P	..... exempt	Customer required transformers and associated equipment.	To establish provisions to ensure safe and reliable service for all customers.
PSC-33-24-00002-P	..... exempt	Proposed transfer of water utility's capital stock.	To determine if the proposed transfer is in the public interest.
PSC-34-24-00003-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-34-24-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-34-24-00005-P	..... exempt	Deferral of costs associated with the development of Utility Thermal Energy Networks.	To determine the appropriate funding for the development of a proposed Utility Thermal Energy Network Pilot Project.
PSC-34-24-00006-P	..... exempt	Waiver of 16 NYCRR Sections 85-2.3(c), 86.3(a)(2), 86.3(b), and 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for a rebuild of a transmission line.
PSC-34-24-00007-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 Public Service Law.
PSC-34-24-00008-P	..... exempt	Proposed transfer of real property and system assets.	To consider whether the terms of the transfer are in the public interest.
PSC-34-24-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-34-24-00010-P	..... exempt	NYSRC reliability rules and measurements.	To consider revisions to various rules and measurements of the NYSRC used to support safe and reliable electric service.
PSC-34-24-00011-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-34-24-00012-P	..... exempt	Deferral of costs associated with the development of Utility Thermal Energy Networks.	To determine the appropriate funding for the development of a proposed Utility Thermal Energy Network Pilot Project.

Action Pending Index**NYS Register/August 21, 2024**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
DOS-13-24-00002-P	03/27/25	Appearance Enhancement Licensure and Permanent Dyeing of Eyebrow and Eyelash Hair	To amend the rule to allow dyeing of eyebrow and eyelash hair in accordance with federal regulation
STATE UNIVERSITY OF NEW YORK			
SUN-40-23-00004-EP	10/03/24	Appointment of Employees and Leave of Absence for Employees in the Professional Service	Revise to comport with provisions of the collective bargaining agreement between the State and United University Professions
SUN-31-24-00002-EP	07/31/25	State basic financial assistance for the operating expenses of community colleges under the programs of SUNY and CUNY.	To set assistance levels for basic State financial assistance and allocate incremental new monies provided in the State Budget.
SUN-31-24-00003-EP	07/31/25	State University of New York Tuition and Fee Schedule	To repeal the existing Tuition and Fees Schedule and replace with a new one to be effective for the Fall 2024 semester.
TAXATION AND FINANCE, DEPARTMENT OF			
*TAF-46-20-00003-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-17-24-00002-EP	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2024 through March 31, 2024
TAF-22-24-00001-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period July 1, 2024 through September 30, 2024
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-12-24-00007-P	03/20/25	See attached Addendum #2	See attached Addendum #3
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-52-23-00001-P	exempt	A proposal to establish a new toll rate schedule for use of the central business district under the CBDTP operated by TBTA	A proposal to reduce traffic congestion in a manner that will generate revenue for future transportation improvements
TBA-22-24-00004-P	05/29/25	Toll violation administrative fees with respect to TBTA facilities and Congestion Pricing Central Business District	Relating to 2024 legislative changes concerning payment and enforcement of toll violation fees
VICTIM SERVICES, OFFICE OF			
OVS-21-24-00004-P	05/22/25	Limits on administrative expenses and executive compensation pursuant to Executive Order (EO) 38	As EO 38 has been discontinued, the purpose of this rule is to repeal regulations implementing EO 38

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

PROVIDE
STATION BUILDING
NY State Police
Ballston Spa, Saratoga County

Sealed bids for Project Nos. 47346-C, 47346-H, 47346-P, and 47346-E comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Provide Station Building, NY State Police, 106 Dunning Street, Ballston Spa (Saratoga County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the New York State Police, until 2:00 p.m. on Wednesday, September 11, 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 \$112,900 for C, \$22,400 for H, \$21,300 for P, and \$43,300 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$4,000,000 and \$5,000,000 for C, between \$250,000 and \$500,000 for H, between \$250,000 and \$500,000 for P, and between \$1,000,000 and \$2,000,000 for E.

Designated staff are Kimberly Belden, Catherine Skaczkowski, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862.

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

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

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

The 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 August 29, 2024, at NY State Police, 106 Dunning Street, Ballston Spa, NY. Contact the office of Michael Blaauboer (518-226-3203) or Lindsay Breault (Lindsay.Breault@ogs.ny.gov) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE Office of General Services

Pursuant to Section 30-a of the Public Lands Law, the Office of General Services hereby gives notice to the following:

Notice is hereby given that the New York State Office for People with Developmental Disabilities has determined that:

Address: OGS Map 2617
Unimproved Land
Church Street
Newark, NY, 14513
Village of Newark, Wayne County

a.453+ acre, parcel of unimproved land, is surplus and no longer useful or necessary for state program purposes and has abandoned the property to the Commissioner of General Services for sale or other disposition as Unappropriated State land.

For further information, please contact: Frank Pallante, Office of General Services, 36th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, (518) 474-8831

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
Abbondola, Estate of Rocco	INVERNESS
Acosta, Miriam	POUGHKEEPSIE
Allan L Goldberg, Estate of	ALBANY
Allen, Estate of Lou Ann	NEWBURGH
Amicucci, Richard	WARREN
Anderson, Estate of Josephine	Stanhope
Annie R Harden, Estate of	BUFFALO
Armstrong, Lillian B	SPRINGFLD CTR
Arnetha Daymond, Estate of	MARION
Attura, Maria	RENSELAER
Bach, Estate of William I	Golden
Bain, Estate of Dolores	REDWOOD
Barbara A Tyrrell, Estate of	Ballston Lake
Barbara C Howell, Estate of	New Milford
Barrett, Estate of Joan L	ANDOVER
Bartlow, Deborah	BROCKPORT
Behrik, Gail	PROVINCETOWN
Betsinger, Estate of Harold R	CANASTOTA
Black, Estate of Norman	DONEGAL
Blazich, Debbie K	GREER
Boher, Carol Adria Mall	JERICHO
Boris, Estate of Sarah J	LONG IS CITY
Botbyl, Estate of Donald Port	Jervis
Brace, Estate of Joyce	Bewyn
Brennan, Estate of Grayce E	Point Lookout
Bristol, Susan	ROCHESTER
Buchanan, Mabel	MILLER PLACE
Burell, Christopher N	CHESTERFLD
Burgos, Margarita	ST AUGUSTINE
Burroughs, Estate of Richard J	MOHAWK
Camp, Estate of Mary Jennie	CANDOR
Canada, Linda	LAS VEGAS
CANARY JR, THOMAS D	STILLWATER
Cardella, John	MASTIC

Cardella, Judith MASTIC
Carroll, Estate of Eleanor Plant City
Carson, Shawn BROOKLYN
Castriota, Estate of Mary M CALABASH
Chase, Juanita LAKE LUZERNE
Christophe, Sharon E GOSHEN
Cook, Estate of Patricia W Cortland
Craig Young, Estate of EAST NASSAU
Cropper, Isiah BRONX
Crunden, William R LINDENHURST
Cucchiara, Teresa ROME
Cusack, Estate of David A Shelton
Daniel, Estate of Beatrice ALBUQUERQUE
Daniels, Justine STATEN ISLAND
Davies, Estate of William SAINT AUGUSTINE
Davies, Leone R HOLIDAY
Davis, Frederick A OCEANSIDE
De Rubertis, Estate of Pasquale A TROY
DeGraw, Andrew K NEWBURGH
DeGraw, Matthew I NEWBURGH
Diane R Broughton, Estate of E GREENBUSH
Dixon, Estate of Florence Ellenville
Doetsch, Estate of Logan H HADLEY
DREW, TERESA GAIL SALUDA
Eagan, William A CAPE CORAL
Edward F Showers, Estate of AVERILL PARK
Eichner, Irma N FRANKLIN
Eleanor Welsh, Estate of CULLMAN
Ester, Jajuan Michelle LAS VEGAS
Etli, Estate of Helen PLATTSBURGH
Eugen Balasenowich, Estate of SOMERSET
Farrell, Alan WEBSTER
Fein, Estate of Harriet BERKELEY
Ferguson, Dawn Alexis MECHANICSBURG
Ferrer Sr, Louis H STONY POINT
Fiedler, Sheldon A. HARTSDALE
Fields, Ann-Marie Peters EDISON
Fields, Estate of Richard ITHACA
Findlay, Estate of James R Bound Brook
Finkels, Geoffrey RANDOLPH
Fisher, Estate of Max G CASTILE
Flores, Rosemarie CLERMONT
Formicola, Patricia ROCHESTER
Frank Cesare Jr, Estate of Cerro Gordo
Frank Torres, Estate of New York
Frueh, Estate of George SOUND BEACH
Furnia, Estate of Leo SCHUYLERVILLE
Gallineau, Shawn BUFFALO
Gary S Bethune, Estate of ATLANTA
Gavigan, Donna A Schenectady
George Popp, Estate of Rochester
GIFFORD III, EARL D TROY
Gifford, Estate of Joanna TROY
Gilbert, Gary J CLAY
Gilbert, Michael A CLAY
Gilbert, Robert
Gilleo, Estate of Donna FISHKILL
Girimonti, Michael J BRONXVILLE
Gladys G Taylor, Estate of GLEN ALLEN
Godfrey, Ellen Jean Mall FAIRFIELD
Gold Jr, Barry EAST MEADOW
Gordon, James P ORCHARD PARK
Grandfort, Dominique E BARRYVILLE
Grazier, Mark Stephen NASHUA
Guldenzopf, Estate of Justine TOWSON
Halladay, Estate of Philip FRANKLIN
Halpern, Joannah SHELTON
Hanrahan, Jerelyn OYSTER BAY
Harder, Estate of Dennis CLIFTON PARK
Hargett, John L FORT PIERCE
Hefny, Estate of Osama CHESTERTON
Heineman, Estate of Julie AKRON
Henderson, Dwight D WAYLAND
Herrmann, Estate of Patricia CTR MORICHES
Hill, Charles R WINNSBORO
Hoynacki, Estate of Joyce Chesapeake
Hughes, Linda BUFFALO
Hunt, Estate of Donald L QUEENSBURY
Iaquinta, Guy SMITHTOWN
Isabelle Regester, Estate of TAMPA
Jackson Jr, James O CENTRAL ISLIP
Jackson, Brian S SHIRLEY
Jackson, John P PALATKA
Jackson, Michael T SHIRLEY
Jackson, Morgan C BALDWINVILLE
Jackson, Steven B RICHMOND
James M Wisner, Estate of AU SABLE FRKS
Janice M Bohn, Estate of Melville
Jerome Koicim, Estate of Punta Gorda
Johnson Jr, Joseph N CAMERON
Johnson, Carol WALLAND
Johnson, Dwight P JERSEY CITY
Jones, Alyce R BOSTON
Jones, Judy L LAS VEGAS
Jones, Morris J MC CALLA
Jules Gendreau, Estate of TROY
Kanakaraj, Diane M NEW CASTLE
Kanakaraj, Jonathan S RICHMOND
Kerning, Daniel P MALVERNE
Kilmer, Jamie R CANISTEO
Kilmer, Jeffrey L CANISTEO
King, Estate of Felton E SANFORD
Klein, Nicole SELKIRK
Knapp II, William J DEER PARK
Knapp, Benjamin G MINT HILL
Kollmer, Estate of Marguerite Ocala
Kopa Sr, Frank G MOHALL
Kost, William ENGLEWOOD
Krebo, Estate of Ruth B MILLER PLACE
Laduque, Estate of Dorothy M Rochester
Lafave, Anthony B ALTONA
Laurin, Estate of Shirley ONEIDA
Lazak, James P JENSEN BEACH
Leach, George T ROCKVILLE CENTRE
Leibenguth, Linda M LIVONIA
Leona L Hedges, Estate Of Kent
Lese, Michael A LYONS
Leslie Barlow, Estate of Henrico

Leuzzi,Estate of Victoria P N FALMOUTH
Lewis,Daniel John Scanlon PLATTSBURGH
LIAO,HUA EL PASO
Linda E Sawkins,Estate of JAMESVILLE
Louis,Susan G PATCHOGUE
Lugo,Kadeatrice C BRONX
Maestas,Pramini R FT WALTON BCH
Maher,Edward F TABERG
Mall,Ann JERICHO
Mall,James Parker WAITSFIELD
Margaret Abadia,Estate of STATEN ISLAND
Margiotta,Estate of Karen M SCHENECTADY
Maria,Estate of Peter A YONKERS
Marie Roedig,Estate of SAG HARBOR
Marlow,Mary L CAROLINA SHOR
Marsh,Estate of Lois E BOLIVAR
Mary C Alvaro,Estate Of Clifton Park
Mattingly,James R THERESA
Mawhinney,Paul H NORTH GREECE
McLean,Estate of Kathleen J WAYLAND
Melendez,Alexander SPRING HILL
Messina,Estate of Antoinette BEASLEY
Michael Leroy Whitney,Estate of BELMONT
Miller,Daniel W JOHNSTOWN
Milliken,David SNYDER
Milliken,William MOUNT HOLLY
Mirabito,Jo Leslie PORT ST LUCIE
Monsell,Estate of Judith J NAPLES
Newell,Veronica S WELLSBURG
Nickerson,Drew P LAKE FOREST
NOrman E Rubinstein,Estate Of Erie
O'Brien Jr,Estate of Richard P TOMS RIVER
O'Connell,Estate of Michelle ORLAND PARK
Oakden,Judy C TAYLORS
OConnell,Estate of Patricia BAYPORT
Oeckler,Estate of Ronald W NEW YORK
Oestreicher,Darrin BRADENTON
Omara,James T LINDENHURST
Omara,Michael G HOLTSVILLE
Ortiz,Daisy ST AUGUSTINE
Osuch,Estate of Frances T Hudson
Parenti,Mary Jane VENICE
Patrick Hawkins,Estate of HEMPSTEAD
Patterson,Estate of Robert Lee NOVI
Peterson,Thomas J HILTON
Pierro,Josh PHOENIX
Pugh,Anita BROOKLYN
Rae Schlesinger,Estate of TUCSON
Rake,Estate of Susan SYRACUSE
Rea,Estate of Barbara A GOLDEN
Reider,Barbara SHICKSHINNY
Richard J Gestwick,Estate Of Mohegan Lake
Ronald Wetzel Jr,Estate of FARMINGDALE
Rose Nowicki,Estate of Bath
Ross,Estate of Gary A WEST JORDAN
Rowe,Calvin COHOES
Ruzzo,Estate of Theresa Schenectady
Sandra L Perchy,Estate of Bedford
Schmidt,Estate of George D MILWAUKEE
Sherman,William Warren JAMESVILLE
Shumway,Estate of Madeline Oneonta
Small,Estate of Margaret M GLEN COVE
Smith,Estate of Richard BINGHAMTON
Sondra Aaron,Estate of Tenafly
Stabinsky,Eric J AUBURN
Stabinsky,Mason A AUBURN
Stammler,Estate of Dolores LEVITTOWN
Stanley J Pawenski,Estate of COHOES
Straight,Aaron M SARATOGA SPGS
Straight,Matthew Q LAKE LUZERNE
Strand,Trudy Rochester
Taylor-Chambers,Margaret BRIDGEPORT
Taylor,Frank M WHITE PLAINS
Tears,Estate of Dianna E Rochester
Tellep,Estate of Ethel FAIRBANKS
Timothy O'Brian,Estate of Anchorage
Totter,Lillian CENTRAL ISLIP
Tozzo,Anne PLANT CITY
Turck,Estate of Rudolph POUGHKEEPSIE
Unknown - need Jr DOD,Estate of WILMINGTON
Vasquez,Tamara A BRONX
Veltri,Estate of Fred J TUCSON
Verdi,Melissa SLEEPY HOLLOW
Vevante,Ferdinand J HENDERSON
Viguie,Christine VLY COTTAGE
Virgil,Rosemarie A SEMINOLE
Vivas,Yvrose Gerda Grandfort BARRYVILLE
Wallingford Jr,Estate of Lawrence E DE RUYTER
Wanda T Piersall,Estate Of CLINTON
WEGNER,BRIAN DEPEW
WEINER,DANA TARRYTOWN
Wells,Estate of Linda A OGDENSBURG
Westbrook,David P ESSEX JCT
Westring,Estate of David BELLINGHAM
Weyant,Estate of George W DALTON
White,Estate of Margaret A FULTON
Wilder,Petrie Odette LAS VEGAS
Wilder,Simimi Lazette LAURELTON
Wilder,Sylvia Debourdia LAS VEGAS
Williams,Anthony L HACKENSACK
Williams,Ervie M COVINGTON
Williams,Georgia COVINGTON
Williams,Sophia E KINGSTONG 3
Williamson,Estate of Willie E SOUTH BOSTON
Willie W Godbee Jr,Estate of WAPPINGERS FL
Wilson,Estate of Gladys A VERO BEACH
Wolkensdorfer,Carol Ann FAYETTEVILLE
Wood,Elaine SAN FRANCISCO
Woolston,Donna WATERPORT
Wright,Lionel MIAMI
Wright,Theresa MIAMI
YODICE,ESTATE OF DORIS M TUCSON
Young,Estate of June Pinellas Park
Zabinski,Mark J LADSON

PUBLIC NOTICEDepartment of State
F-2022-0399

Date of Issuance – August 21, 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-2022-0399, Arthur Kill Terminal, LLC proposes to develop an approximately 32-acre property into a port facility along the Arthur Kill waterfront in the Charleston area of southwestern Staten Island. The Proposed Project includes the construction of a marine terminal with a 1,365 linear-foot (lf) quay, laydown and storage areas upland of the quay (the “Port Operational Area”), a tenant warehouse, office building and parking spaces (the “Tenant Area”), and the adaptive reuse of an existing residential structure (the “Cole House”) as an owner office and visitor center (the “Owner Area”). The 32-acre Project Site and the proposed 18-acre basin for vessel operations (the “Dredge Basin”) comprise the 50-acre Project Area. The project is located at Richmond Valley Road and Arthur Kill Road, in the borough of Staten Island, Richmond County, along the Arthur Kill.

The stated purpose of the proposed action is to build an unrestricted port within New York Harbor for the staging, assembly and pre-commissioning of WTGs and other OSW components needed for the construction of OSW farms facilities to be built in the New York Bight and off the East Coast of the United States.

The applicant’s consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/08/f-2022-0399app1.pdf>

<https://dos.ny.gov/system/files/documents/2024/08/f-2022-0399app2.pdf>

<https://dos.ny.gov/system/files/documents/2024/08/f-2022-0399app3.pdf>

<https://dos.ny.gov/system/files/documents/2024/08/f-2022-0399app4.pdf>

<https://dos.ny.gov/system/files/documents/2024/08/f-2022-0399app5.pdf>

<https://dos.ny.gov/system/files/documents/2024/08/f-2022-0399app6.pdf>

or at <https://dos.ny.gov/public-notices>

The City Environmental Quality Review Final Environmental Impact Statement can be found at: <https://zap.planning.nyc.gov/projects/2022R0232>

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 September 20, 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 NOTICEDepartment of State
F-2024-0289

Date of Issuance – August 21, 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-2024-0289, Lloyd Neck Bath Club is proposing removal and replacement of approximately 145 linear feet (lf) of existing bulkhead, with an additional 78 lf of constructed seaward and 84 lf landward returns. Reconstruction of existing coastal stone protection along the toe. Construction of a new 1,300 square foot timber overwater deck patio and reconstruction of the existing adjoining 1,156 square foot patio.

West Neck Road, Town of Huntington, Village of Lloyd Harbor, Suffolk County, Cold Spring Harbor.

The stated purpose of the proposed bulkhead and coastal stone protection are to maintain erosion protection and provide shoreline resiliency. The stated purpose of the overwater platform and deck are to provide access to the pool area and recreational beach area at the club.

The applicant’s consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/8/f-2024-0289.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 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 NOTICEDepartment of State
F-2024-0382

Date of Issuance – August 21, 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-2024-0382, The Trust for Governor’s Island is proposing the demolition of the existing Yankee Pier along with removal of its piles and the construction of a new pier and pedestrian bridge, with Eco Pier piles and decking and underwater ecological components.

Yankee Pier at Governors Island, at intersection of Craig Road S and Division Road, City of Manhattan, New York County, Buttermilk Channel, New York Harbor.

The stated purpose of the proposed action is to replace Yankee Pier, which has reached the end of its useful life expectancy and in need of replacement to accommodate the needs of the Island and serve the public.

The applicant’s consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/8/f-2024-0382.pdf> or at <https://dos.ny.gov/public-notices>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department

of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 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-2024-0408

Date of Issuance – August 21, 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-2024-0408, Leslie Martin is proposing to remove an existing pier and freestanding bulkheads and reconstruct in-place 68 linear feet (lf) of bulkhead and 80 lf of navy-style groin. Installation of one 8' return and 18" wood capping on the new bulkhead. Installation of 4' x 140' wood pier with 4' x 6' projection and 4-pile boat lift. Reconfiguration of existing 3' x 16' aluminum ramp and PVC floating dock.

3597 Milburn Avenue, Town of Hempstead, Nassau County, Baldwin Bay.

The stated purpose of the proposed action is to stabilize the shoreline and to allow for recreational access to the waterfront.

The applicant's consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/8/f-2024-0408.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 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-2024-0424

Date of Issuance – August 21, 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-2024-0424, the Estate of Patricia Hodges is proposing to install 50-feet of stone armor consisting of 0.75 to 1.25-ton stone in an escarpment and backfill with 75 cubic yards of clean sad fill and plant the filled area with *Spartina patens*. The proposal is for the applicant's property located at 279 Millstone Brook Road in the Town of Southampton, Suffolk County on Bullhead Bay.

The stated purpose of the proposed action is to control erosion along the shoreline.

The applicant's consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/08/f-2024-0424.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 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-2024-0455

Date of Issuance – August 21, 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-2024-0455, the applicant, Britannia Acquisition Corp c/o Peter Houmere, is proposing maintenance dredging of an approx. 392,000SF area of the existing marina basin to obtain post-dredge elevations of -5.0 to -8.0 NAVD88. Approx 35,000CY of material to be hydraulically dredged and will be placed in a dewatering containment berm with final disposal to be determined based on results of sediment sampling and containment analysis. Dredging and dewatering will be performed in a phases based on the dredge depth. This project is located at 81 Fort Salonga Road, Town of Northport, Suffolk County, Northport Harbor.

The applicant's consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/08/f-2024-0455.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 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-2024-0490

Date of Issuance – August 21, 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-2024-0490, the applicant, Town of East Hampton, is proposing maintenance dredging of an approx. 7,875SF area to a depth of 6' below mean low water to elevation -7.40 NAVD88. Approx 50CY of material to be mechanically dredged using clam shell bucket and will be placed in a 1,425SF retention area to dry, then will be spread on nearby land or disposed of at an approved upland disposal facility. It is anticipated that this area will be dredged every year for 10 years, removing 50CY of material during each event. This project is located at 73 Star Island Road, Town of East Hampton, Suffolk County, Lake Montauk.

The applicant's consistency certification and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/08/f-2024-0490.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 East Hampton Local Waterfront Revitalization Program:

<https://dos.ny.gov/location/town-east-hampton-local-waterfront-revitalization-program>

- Lake Montauk Scenic Area of Statewide Significance:

https://dos.ny.gov/system/files/documents/2020/02/sass_report.pdf

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 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-2024-0522(DA)

Date of Issuance – August 21, 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.

U.S. Department of Energy 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-2024-0522, U.S. Department of Energy proposes to provide a federal loan guarantee to Sunrise Wind LLC for financing the Sunrise Wind Project. The project is in the Atlantic Ocean, Great South Bay, Narrow Bay, Town of Brookhaven, Suffolk County.

The stated purpose of the project is to finance projects and facilities in the U.S. that employ new or significantly improved technologies that avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases.

The agency's consistency determination and supporting information are available for review at:

<https://dos.ny.gov/system/files/documents/2024/08/f-2024-0522.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or September 20, 2024.

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

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

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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

2024-0158 Matter of Forsyth-Warren Tavern Living History Farm and Museum, 5182 Ridge Road, Lockport, NY 14094, for an appeal to the decisions made by a Code Enforcement Official. Involved is an existing building located at 5182 Ridge Road, Town of Cambria, County of Niagara, State of New York.

2024-0301 Matter of DRF Design, David Fleming, 3993 Harlem Road, Amherst, NY 14226, for a variance concerning safety requirements, including sprinkler systems. Involved is an existing building, located at 681 Lafayette Avenue, City of Buffalo, County of Erie, State of New York.

2024-0352 Matter of CamCo General Contracting Inc., Cameron Sitarek, 10994 Tinkham Road, Darien, NY 14040, for a variance concerning safety requirements, including on-site fire hydrants and mains. Involved is a new building located at 4384 Nancy Court, Town of Hamburg, County of Erie, State of New York.

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2024-0360 Matter of Matthew DeGaiamo, 566 Merrick Road, Rockville Center, NY 11570, for a variance concerning safety requirements, including project with Quad A accreditation, not considered an

ambulatory care facility. Involved is an existing structure located at 3480 Veterans Memorial Highway, Town of Islip, County of Suffolk, State of New York.

2024-0379 Matter of Captain Permit, Mike Arato, 245 NY-109, Suite D, West Babylon, NY 11704, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 8 Frank Street, Town of Babylon, County of Suffolk, State of New York.

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2024-0378 Matter of Bella Wizman, 19 Poplar Lane, Smithtown, NY 11725, for a variance concerning safety requirements, including height under projection and provision for emergency escape and rescue opening. Involved is an existing dwelling located at 19 Poplar Lane, Town of Smithtown, County of Suffolk, State of New York.

2024-0387 Matter of Elsasser Expediting Services, Ralph Elsasser, 1134B Route 25, Selden, NY 11784, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 4 Willow Street, Town of Brookhaven, County of Suffolk, State of New York.

2024-0388 Matter of Mark Anthony Architects, Mark Anthony Munisteri, 1563 Bellmore Avenue, Bellmore, NY 11710, for a variance concerning safety requirements, including flood construction requirements. Involved is an existing accessory structure to a dwelling located at 2995 Judith Drive, Town of Hempstead, County of Nassau, State of New York.

PUBLIC NOTICE

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Uniform Code Variance / Appeal Petitions

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2024-0385 In the Matter of Hudson Valley Shakespeare Festival, Inc., Kendra Ekelund, PO Box 125, Garrison, NY 10524, for a variance concerning safety requirements, including a sprinkler system. Involved is an outdoor structure located in the Town of Philipstown, County of Putnam, State of New York.

PUBLIC NOTICE

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Uniform Code Variance / Appeal Petitions

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2024-0393 In the Matter of Carlos & Alyshia Galvez, 122 Manhattan Avenue, New York, NY 10025, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 235 County Road 93, Town of Fremont, County of Sullivan, State of New York.

2024-0394 In the Matter of Tietjen & Venegas Consulting Engineers, PLLC, David Muratore, 68 Purchase Street, Rye, NY 10580, for a variance concerning safety requirements, including ground fault protection. Involved is a marina located at 290 Drake Avenue, City of New Rochelle, County of Westchester, State of New York.

2024-0395 In the Matter of United Design Works LLC, Keith Pitocchi, 275 Park Avenue, Suite A, Brooklyn, NY 11205, for a variance concerning safety requirements, including mezzanine access and riser height. Involved is a three story building located at 200 Fifth Avenue, Village of Pelham, County of Westchester, State of New York.

2024-0397 In the Matter of Fast Forward Permits, Yossi Walter, PO Box 141, Tallman, NY 10982, for a variance concerning safety requirements, including fire apparatus road. Involved is a three family dwelling located at 71 Decatur Avenue, Town of Ramapo, County of Rockland, State of New York.

PUBLIC NOTICE

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2024-0399 In the Matter of David Schlosser of Schopfer Architects, LLP, 1111 James Street, Syracuse, New York for a variance concerning encroachment on to the public right of way located at Dey's Centennial Plaza, 401 South Salina Street, City of Syracuse, County of Onondaga, State of New York.

EXECUTIVE ORDERS

Executive Order No. 28.16: Declaring a Disaster Emergency in the State of New York

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

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

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

WHEREAS, since the expiration of the Title 42 Order on May 11, 2023, thousands of additional people have sought shelter in New York, with New York City alone currently being responsible for sheltering nearly 65,000 migrants;

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

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

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the State Disaster Emergency as declared in Executive Order 28, as continued in Executive Order 28.15, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 28, as continued in Executive Order 28.15, until August 30, 2024.

(L.S.)

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

BY THE GOVERNOR

/S/ Kathy Hochul

/s/ Karen Persichilli Keogh

Secretary to the Governor

Executive Order No. 37: Declaring a Disaster in the Counties of

Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates

WHEREAS, beginning on July 10, and continuing thereafter, a series of severe storms combined with extreme heat have caused hazardous conditions posing an imminent danger to public transportation, utility service, public health, and public safety systems within the counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates;

WHEREAS, the storms have produced tornadic activity, damaging straight-line winds, heavy rainfall, and flash flooding, resulting in road closures, travel disruptions, widespread power outages, and damage to public and private property, which continue to pose a threat to the public health and safety;

WHEREAS, State assistance is needed for the immediate response and ongoing recovery efforts in the affected counties;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby find that a disaster has occurred for which the affected local governments are unable to respond and recover from adequately. Therefore, I hereby declare a State Disaster Emergency effective July 16, 2024, within the territorial boundaries of the counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates. This Executive Order shall be in effect through August 15, 2024; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I directed the implementation of the State Comprehensive Emergency Management Plan and authorize, effective July 10, 2024, State agencies as necessary, to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety.

IN ADDITION, this declaration satisfies the requirements of 49

CFR 390.23(b), which provides relief from 49 CFR sections 395.2 and 395.5. Such relief from the federal motor carrier hours of service rules is necessary to ensure that crews can clear vital roadways and hasten the movement of utility power restoration crews into New York State.

FURTHER, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through August 15, 2024, the following laws:

- Article 5-A of the General Municipal Law to the extent necessary to purchase supplies, services, including construction, and equipment without following the standard notice and procurement processes;
- Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services to assist affected local governments, individuals, and other non-State entities;
- Section 112 of the State Finance Law, to the extent consistent with Article V, Section I of the State Constitution, and to the extent necessary to add additional work, sites and time to State contracts including but not limited to contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; and

Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to purchase commodities, services, technology and materials without following the standard notice and procurement processes.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of July in the year two thousand and twenty-four.

BY THE GOVERNOR

/S/ Kathy Hochul

/s/ Karen Persichilli Keogh

Secretary to the Governor

COURT NOTICES

AMENDMENT OF RULE Rules of the Chief Administrator

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend sections 118.1(e), 118.2(b), 118.3(c) and 118.4(b) of the Rules of the Chief Administrator, effective December 1, 2024, to read as follows: (additions italed, deletions in brackets)

Section 118.1. Filing Requirement

* * * * *

(e) The registration statement shall be on a form provided by the Chief Administrator and shall include the following information, attested to by affirmation:

- (1) name of attorney;
- (2) date of birth;
- (3) name when admitted to the bar;
- (4) law school from which degree granted;
- (5) year admitted to the bar;
- (6) judicial department of admission to the bar;
- (7) office addresses (including department);
- (8) home address;
- (9) business telephone number;
- (10) social security number;
- (11) e-mail address (optional);
- (12) race, gender/gender identity, sexual orientation, ethnicity and employment category (optional);
- (13) compliance with child support obligations;

(14) *a list of all jurisdictions other than New York State where the attorney is admitted to practice (excluding pro hac vice admissions), accompanied by a statement as to whether the attorney is in good standing in each jurisdiction and, as appropriate, (i) the date(s) on which such foreign jurisdiction imposed discipline on the attorney, (ii) the Appellate Division and Attorney Grievance Committee advised of each such instance of discipline by such foreign jurisdiction, and (iii) the date of each such advisement;*

~~[(14)] (15) in a separate statement, filed anonymously in a manner directed by the Chief Administrator,~~

(a) a mandatory report of pro bono services and contributions, as defined in Rule 6.1 of the attorney Rules of Professional Conduct, performed or contributed by the attorney in the previous two calendar years; and

(b) a report of such other pro bono service and contributions over the same period as the attorney may choose to describe.

Section 118.2. Public access to attorney registration information

* * * * *

(b)(1) The home address of an attorney shall be made available to the public only in the following circumstances:

(i) where no office is listed, the home address will be made public;

(ii) where an office address is listed, but a request for information alleges that the attorney cannot be located at that address, the home address will be made public only if the Chief Administrator determines, by independent inquiry, that the attorney cannot be located at the listed office address.

(2) The date of birth, social security number, race, gender, gender

identity, sexual orientation, ethnicity and employment category of the attorney shall not be made available to the public. *All findings of professional misconduct and/or disciplinary sanctions imposed against an attorney which have been reported to the Office of Court Administration pursuant to the Rules of the Chief Administrator 22 NYCRR § 118.1(e)(14) shall also not be made available to the public, except as may be otherwise authorized pursuant to Judiciary Law § 90(10).*

Section 118.3 Filing requirement

* * * * *

(c) The registration statement shall be on a form provided by the Chief Administrator and shall include the following information, attested to by affirmation:

- (1) name of the registrant;
- (2) date of birth;
- (3) name when first registered;
- (4) law school from which degree granted;
- (5) year of initial registration;
- (6) judicial department of registration;
- (7) office addresses (including department);
- (8) home address;
- (9) business telephone number;
- (10) social security number;
- (11) e-mail address;
- (12) race, gender/gender identity, sexual orientation, ethnicity and employment category (optional);
- (13) compliance with child support obligations; [and]

(14) *a list of all jurisdictions other than New York State where the registrant is admitted to practice (excluding pro hac vice admissions) accompanied by a statement as to whether the registrant is in good standing in each jurisdiction and, as appropriate, (i) the date(s) on which such jurisdiction imposed discipline on the registrant, (ii) the Appellate Division and Attorney Grievance Committee advised of each such instance of discipline by such a jurisdiction, and (iii) the date of each such advisement; and*

~~[(14)] (15) if registering as a foreign legal consultant, the name of the foreign country of his or her admission to practice.~~

Section 118.4 Public access to registration information

* * * * *

(b)(1) The home address of a registrant shall be made available to the public only in the following circumstances:

(i) where no office is listed, the home address will be made public;

(ii) where an office address is listed, but a request for information alleges that the registrant cannot be located at that address, the home address will be made public only if the Chief Administrator determines, by independent inquiry, that the registrant cannot be located at the listed office address.

(2) The date of birth, social security number, race, gender, gender identity, sexual orientation, ethnicity and employment category of the registrant shall not be made available to the public. *All findings of professional misconduct and/or disciplinary sanctions imposed against a registrant which have been reported to the Office of Court Administration pursuant to Rules of the Chief Administrator 22 NYCRR § 118.3(c)(14) shall also not be made available to the public,*

except as may be otherwise authorized pursuant to Judiciary Law § 90(10).