
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 December 1, 2024
- the 45-day period expires on November 16, 2024
- the 30-day period expires on November 1, 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

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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

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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.

Education Department

EMERGENCY RULE MAKING

Supervisor Requirements for Wholesalers Transfilling Medical Oxygen

I.D. No. EDU-18-24-00020-E

Filing No. 768

Filing Date: 2024-09-13

Effective Date: 2024-09-13

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

Action taken: Amendment of section 63.6 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 6504, 6507, 6801, 6808; L. 2023, ch. 590

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: Chapter 590 of the Laws of 2023 (Chapter 590), effective April 22, 2024, amends the Education Law by establishing the specific supervisor requirements for individuals who supervise the transfilling of medical oxygen. Chapter 590 requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor's degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the Code of

Federal Regulations (CFR). It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen, which has become increasingly difficult for wholesalers who transfill medical oxygen. The proposed amendment of section 63.6 of the Commissioner's regulation implements Chapter 590 by requiring that any person responsible for supervising the transfilling of medical oxygen meet one of the criteria described above.

The proposed amendment was presented to the Professional Practice Committee for recommendation to the Full Board for emergency adoption at the April 2024 meeting of the Board of Regents, effective April 22, 2024. Because the April 2024 emergency action was set to expire a second emergency action was taken at the June 2024 meeting on July 15, 2024, a second emergency action was necessary at the June 2024 meeting, to ensure the emergency rule remained continuously in effect until it could be permanently adopted.

Since the Board of Regents meets at fixed intervals, the earliest the proposed rule 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 section 203(1), the earliest effective date for 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 is set to expire on September 12, 2024. Therefore, a third emergency is necessary at the September 2024 meeting, effective September 13, 2024, for the public health and preservation of the general welfare in order to conform the Commissioner's regulations to implement the requirements of Chapter 590, which became effective April 22, 2024, and to ensure that the emergency action at the June 2024 meeting remains continuously in effect until it can be permanently adopted.

The proposed rule will also 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 rule making.

Subject: Supervisor requirements for wholesalers transfilling medical oxygen.

Purpose: To implement chapter 590 of the Laws of 2023.

Text of emergency rule: Subdivision (c) of section 63.6 of the Regulations of the Commissioner of Education is amended to read as follows:

(c) Manufacturers, outsourcing facilities and wholesalers.

(1) ...

(2) ...

(3) *Supervisor requirements for wholesalers transfilling medical oxygen. Wholesalers that transfill medical oxygen shall ensure any person responsible for supervising the transfilling of medical oxygen is either:*

(i) a respiratory therapist certified by a national accrediting body;

(ii) a person holding a bachelor's degree in chemistry, microbiology, chemical engineering or a related field;

(iii) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the state board of pharmacy; or

(iv) a person having training in accordance with the requirements established in section 211.25 of title 21 of the code of federal regulations.

(4) The supervisor of an establishment designated pursuant to paragraphs (1), [and] (2), and (3) of this subdivision shall not be at the same time the supervisor of any other establishment registered by the board.

[(4)] (5) The size and facilities of a registered establishment shall be appropriate for the activities to be conducted therein. The area to be registered shall measure no less than 300 square feet. The registered area shall not be shared with or be devoted in part to any other business. The registered establishment shall be in compliance with at least the minimum requirements as provided in section 205.50 of title 21 of the Code of

Federal Regulations (Code of Federal Regulations, 1991 edition, Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; 1991--available at New York State Board of Pharmacy, [Room 3035, Cultural Education Center] *Office of the Professions, 89 Washington Ave., 2nd Floor, Albany, NY [12230] 12234*).

[(5)] (6) Manufacturers, outsourcing facilities or wholesalers shall sell drugs and/or devices only to those purchasers authorized by law. Records of the receipt and disposition of all drugs and/or devices shall be maintained for a period of five years and shall be available to the department for review and copying upon request.

[(8)] (7) Certification of manufacturers and wholesalers for export purposes. Any registered manufacturer or wholesaler may be issued a certificate by the executive secretary of the State Board of Pharmacy or a designee of the Commissioner of Education, authenticating said registration and identifying the specified drugs and/or devices as articles regularly offered for sale in New York. The fee for each certificate shall be \$5.

[(7)] (8) Additional requirements for outsourcing facilities.

- (i) ...
- (ii) ...
- (iii) ...
- (iv) ...
- (v) ...
- (vi) ...
- (vii) ...
- (viii) ...
- (ix) ...

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-18-24-00020-EP, Issue of May 1, 2024. The emergency rule will expire November 11, 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:

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

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Paragraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions.

Section 6801 of the Education Law defines the practice of the profession of pharmacy.

Subdivision (9) of section 6808 of the Education Law, as added by Chapter 590 of the Laws of 2023, establishes the specific requirements for individuals who supervise the transfilling of medical oxygen, which requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor's degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the Code of Federal Regulations.

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to implement Chapter 590 of the Laws of 2023 (Chapter 590), effective April 22, 2024. Chapter 590 amends section 6808 of the Education Law, by establishing the specific requirements for individuals who supervise the transfilling of medical oxygen. Chapter 590 requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor's degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the Code of Federal Regulations (CFR).

Wholesalers that transfill medical oxygen are finding it increasingly difficult to attract and retain individuals qualified to supervise the process of transfilling medical oxygen.¹ It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen.

The proposed amendment of section 63.6 of the Commissioner's regulation implements Chapter 590 by requiring that any person responsible for supervising the transfilling of medical oxygen meet one of the criteria described above.²

3. NEEDS AND BENEFITS:

The purpose of the proposed rule is to implement Chapter 590 which amends section 6808 of the Education Law, by establishing the specific requirements for individuals who supervise the transfilling of medical oxygen. Chapter 590 requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor's degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the CFR.

Wholesalers that transfill medical oxygen are finding it increasingly difficult to attract and retain individuals qualified to supervise the process of transfilling medical oxygen.³ It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen.

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 mandatory costs to private regulated parties.

(d) Cost to the regulatory agency: There are no additional costs to the 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 does not impose any reporting and recordkeeping requirements.

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 is necessary to implement Chapter 590, which establishes the specific requirements for individuals who supervise the transfilling of medical oxygen in order to address the increasing difficulty that wholesalers who transfill medical oxygen are finding in attracting and retaining individuals qualified to supervise the process of transfilling medical oxygen. It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen. There were no significant alternatives considered.

9. 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 will take effect on an emergency basis on April 22, 2024, the effective date of Chapter 590. It is anticipated that the proposed amendment will be presented to the Board of Regents for permanent adoption at the September 2024 Regents meeting, after publication in the State Register and the expiration of the 60-day public comment period required under the State Administrative Procedures Act. If adopted at the September meeting, the proposed rule will become effective as a permanent rule on September 25, 2024. The proposed amendment does not impose any compliance schedules on regulated parties beyond those imposed by statute.

¹ Generally, transfilling means the process of transferring a gas, either in compressed or liquid form from one cylinder or container to another cylinder or container.

² The proposed rule also makes a technical amendment to update the location where a copy of the Code of Federal Regulations referenced in section 63.6 can be obtained.

³ Generally, transfilling means the process of transferring a gas, either in compressed or liquid form from one cylinder or container to another cylinder or container.

Regulatory Flexibility Analysis

The purpose of the proposed rule is to implement Chapter 590 of the Laws of 2023 (Chapter 590), which establishes the specific requirements

for individuals who supervise the transfilling of medical oxygen. Chapter 590 requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor’s degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the CFR. The proposed rule implements Chapter 590 by requiring that any person responsible for supervising the transfilling of medical oxygen meet one of the criteria described above. It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen.

The proposed rule will not impose any reporting, recordkeeping or other compliance requirements or costs or have any adverse economic impact on small businesses or local governments. Because it is evident from the proposed rule that it will not adversely affect small businesses or local governments, no affirmative steps 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) of the State Administrative Procedure Act, and one has not been prepared.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBER OF RURAL AREAS:

The proposed rule establishes supervisor requirements for the transfilling of medical oxygen and will apply to all New York State wholesalers who transfill medical oxygen including those who are located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less. Of the approximately 317 who are registered to practice in New York State, approximately 36 reported that their permanent address of record is in a rural county of New York State. It is unknown as to how many of these wholesalers transfill medical oxygen.

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

The proposed rule implements Chapter 590 of the Laws of 2023 (Chapter 590), which establishes the specific requirements for individuals who supervise the transfilling of medical oxygen. Chapter 590 requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor’s degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the Code of Federal Regulations (CFR).

The proposed rule implements Chapter 590 by requiring that any person responsible for supervising the transfilling of medical oxygen meet one of the criteria described above. It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen.

The proposed amendment does not impose any reporting, recordkeeping, or other compliance requirements on New York State wholesalers who transfill medical oxygen, beyond those imposed by statute. Additionally, no professional services will be required as a result of the proposed rule.

3. COSTS:

The proposed rule will not impose any costs on any wholesalers who transfill medical oxygen, or other party.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to implement Chapter 590, which establishes the specific requirements for individuals who supervise the transfilling of medical oxygen. Additionally, the Department does not anticipate that the proposed rule will have any adverse impact on regulated parties/entities located in rural areas. Thus, the Department has determined that the proposed amendment’s requirements should apply to all New York State wholesalers who transfill medical oxygen and individuals who supervise the transfilling of their medical oxygen. Therefore, alternative approaches for rural areas were not considered.

5. RURAL AREAS PARTICIPATION:

Comments on the proposed rule were solicited from statewide organizations representing all parties having an interest in the practice of wholesalers, including the State Board for Pharmacy, and professional associations representing the pharmacy profession. These groups have members who live or work in rural areas.

Job Impact Statement

The purpose of the proposed rule is to implement Chapter 590 of the Laws of 2023, establishes the specific requirements for individuals who

supervise the transfilling of medical oxygen. Chapter 590 requires that any person responsible for supervising the transfilling of medical oxygen must be either: (1) a respiratory therapist certified by a national accrediting body; (2) a person holding a bachelor’s degree in chemistry, microbiology, chemical engineering or a related field; (3) a person having two years of education beyond high school and two years of experience in the handling of compressed medical gases satisfactory to the State Board of Pharmacy; or (4) a person having training in accordance with the requirements established in section 211.25 of Title 21 of the Code of Federal Regulations. The proposed rule implements Chapter 590 by requiring that any person responsible for supervising the transfilling of medical oxygen meet one of the criteria described above. It is anticipated that these supervisory requirements will facilitate the identifying, hiring, and retaining of qualified supervisors for the transfilling of medical oxygen.

The proposed rule will not have a substantial impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule, which implements specific statutory requirements and directives, that the proposed rule will have no impact on jobs or employment opportunities attributable to its adoption or only a positive impact, no further steps were needed to ascertain that fact, and none were taken. Accordingly, a job impact statement is not required pursuant to section 210-a(2)(a) of the State Administrative Procedure Act, and one was not prepared.

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Revisions to 6 NYCRR Parts 601 and 602 that Implement ECL Article 15, Title 15 (Water Supply)

I.D. No. ENV-40-24-00001-P

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

Proposed Action: Amendment of Parts 601 and 602 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301(2)(m), art. 15, title 15, 15-1501(4), 15-1503(5), art. 21, title 10 and 15-1527

Subject: Revisions to 6 NYCRR Parts 601 and 602 that implement ECL article 15, title 15 (Water Supply).

Purpose: To add definitions; clarify requirements; establish and clarify permit exemptions; conform regulations to statutes.

Public hearing(s) will be held at: 11:00 a.m., Dec. 5, 2024 at Virtual.

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

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

Substance of proposed rule (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations/water-revisions/proposed-amendments-to-6-nycrr-part-601-and-part-602>): Part 601

Section 601.2 Definitions.

Revisions are proposed for section 601.2 to define the terms: ‘Capacity,’ ‘Closed loop,’ ‘Farm,’ ‘Geothermal system,’ ‘Registration (Agricultural),’ and ‘Standing column.’ The proposed rule also moves language associated with the current definition of ‘Threshold volume’ to section 601.9 to improve clarity and add a reference citation to the definition of ‘Withdrawal’ or ‘withdrawal of water’. The other existing definitions continue unchanged.

Section 601.5 Annual Water Withdrawal Reporting.

Language is proposed in this section to clarify that hydropower facilities operating under a Federal Energy Regulatory Commission (FERC) exemption are required to submit an annual water withdrawal report. Language is also proposed to this section to provide that all saline water

withdrawals are exempt from annual water withdrawal reporting, consistent with the original intent of this exemption. Saline water withdrawals directly from the Atlantic Ocean and Long Island Sound are already exempt from water withdrawal permitting (6 NYCRR § 601.9(i)). Such projects remain subject to thermal discharge and screening requirements, implementing Clean Water Act section 316(b) and Commissioner Policy 52, which are included in State Pollutant Discharge Elimination System permits.

Section 601.6 Water withdrawal permit.

Proposed revisions to this section clarify that a water withdrawal permit is required for the relocation of permanent surface water intake structures.

Section 601.9 Permit Exemptions.

Section 601.9 revisions are being proposed to clarify the scope of water withdrawal permit exemptions for agricultural withdrawals, Federal Energy Regulatory Commission projects, withdrawals from saline waters, reconstruction of facilities or works, and redundant wells. Revisions are also proposed to the water withdrawal permit exemption relating to withdrawals by the Canal Corporation and withdrawals at remediation sites to improve clarity. In addition, new water withdrawal permit exemptions are proposed for certain aggregate washing operations, fire suppression system maintenance, and increased drinking water tank or water tower storage capacity when the source water withdrawal is not increased.

Section 601.10 Application for a permit or permit modification; renewal of an existing permit.

Revisions are proposed to section 601.10 to clarify that a permit application is required for permit modifications and to require that engineering reports submitted with permit applications be signed and stamped, and that the engineer be licensed to practice engineering in New York State. Revisions to section 601.10(a) are being proposed to remove the requirement that privately owned public water supply systems form a water-works corporation pursuant to Article 4 of the Transportation Corporations Law, and now simply requires adequate proof of formation of a water-works corporation. Revisions to section 601.10(e) are being proposed to allow the Department to waive pumping test requirements for certain existing wells and to reduce the regulatory burden associated with permit applications.

Section 601.11

Revisions are proposed regarding the Department's authority to impose permit conditions.

Section 601.12 General Provisions of a water withdrawal permit.

Revisions are proposed to clarify that all water withdrawal permits are subject to the same general provisions.

Section 601.16

Revisions are proposed to provide that the Department may deny an application for a water withdrawal permit if it determines that the proposed water withdrawal will not meet the criteria set forth in 6 NYCRR 601.11(c).

Section 601.17 Registration of water withdrawals for agricultural purposes.

Revisions to section 601.17, registration of water withdrawals for agricultural purposes, are proposed to clarify applicability and to eliminate the requirement to submit a general map as part of the registration process.

Section 601.18 Registration of interbasin diversions; prohibitions.

With respect to section 601.18, language is being proposed for consistency with 6 NYCRR Part 621. These revisions provide that the application deadline for renewals of interbasin diversion registrations is within 180 days of transfer of ownership. These revisions also allow renewals of registrations to be made on forms made available by the Department. The proposed revisions also provide that the engineering report must be signed and stamped by a professional engineer licensed in New York State.

Section 601.19 Monitoring requirements.

Revisions to Section 601.19 are proposed to allow alternative monitoring methods to estimate water withdrawal quantities if the alternative method is approved by the Department. In addition, the proposed revisions clarify the Department's existing authority to require meters to be installed for public water supply systems constructed or placed in operation after April 1, 2013. Furthermore, proposed revisions provide that if the Department determines that the installation of a water level measurement apparatus is impractical or unnecessary, the permittee may utilize alternative measurements methods or forgo water level measurement as approved by the Department.

Section 601.20 Routing, monitoring, recording, and reporting.

Proposed revisions to this section extend the period of recordkeeping from five (5) years to ten (10) years – the maximum duration of a water withdrawal permit.

601.24 References.

Revisions are proposed to this section to prevent confusion associated with discontinuance of the Department's website address link.

Other revisions to Part 601

Other minor non-substantive revisions have been made to various sec-

tions of Part 601 to revise numbering and lettering; clarify language; relocate language; simplify the regulations; reduce paperwork; improve terminology; and ensure that the regulations are internally consistent.

Part 602

Section 602.1 Applicability.

Proposed revisions to this section provide consistency with Part 601 and clarify that public water supplies on Long Island that withdraw 45 gallons per minute (64,800 gallons per day) or more, but less than the Part 601 threshold volume of 100,000 gallons per day must obtain a Part 602 Long Island well permit.

Section 602.2 Exemptions.

Proposed revisions to this section conform this section to the Environmental Conservation Law ("ECL") 15-1527(7) which no longer exempts the use of water for agricultural purposes on Long Island from the need to obtain a Long Island well permit. In addition, proposed revisions to this section exempt closed loop, standing column, or similar non-extractive geothermal systems on Long Island from the need to obtain a Long Island well permit, consistent with Part 601. Proposed revisions exempt water withdrawals at remedial sites on Long Island from the need to obtain a Long Island well permit, consistent with Part 601. The proposed revisions also exempt temporary water withdrawals on Long Island for the purposes of hydrostatic pump testing where the volume withdrawn is less than an average of 100,000 gallons per day in any consecutive 30-day period (three million gallons during a 30-day period), consistent with Part 601. Furthermore, the revisions provide an exemption for withdrawals at remediation sites conducted by the State or Federal government, or conducted pursuant to State or Federal court order or a State or Federal government agency agreement or order.

Section 602.3 Application for a permit to install and operate a well.

Proposed revisions remove specific contact information of the Department's Region 1 Office, which is subject to change, and allow Long Island well permit applications to be made on forms made available by the Department, consistent with Part 601. The proposed revisions also provide that the application must include all information determined by the Department to be necessary to act on the application. Furthermore, the proposed revisions provide that any permittee who intends to continue to operate a well beyond the period of time covered in the applicable Long Island well permit must apply for a renewal of the permit using forms made available by the Department at least 180 days prior to its expiration unless a different deadline is specified as a condition of the permit.

Section 602.4 Action on permit applications.

Proposed language sets a maximum permit term not to exceed ten (10) years from the date of issuance, consistent with ECL section 15-1527(3).

Section 602.5 Approval of completed works.

Proposed language eliminates the need for applicants for Long Island well permits to submit a water analysis as such an analysis is not statutorily required.

Section 602.7 sets forth grounds to modify Long Island well permits.

Section 602.8 provides criteria for denial, suspension and revocation of Long Island well permits.

The full text of the Express Terms for Parts 601 and 602 is available at: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations/water-revisions/proposed-amendments-to-6-nyccr-part-601-and-part-602>

Text of proposed rule and any required statements and analyses may be obtained from: Gwendolyn Temple, NYSDEC, Division of Water, 625 Broadway, Albany, New York 12233-3508, (518) 402-8194, email: Water.Reg@dec.ny.gov

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

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

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

Regulatory Impact Statement

1. Statutory authority: The Department of Environmental Conservation (Department) has broad rule making authority as part of its general functions, powers, and duties. Environmental Conservation Law (ECL) 3-0301(2)(m) states that the Department is authorized to: "[a]dopt such rules, regulations and procedures as may be necessary, convenient or desirable to effectuate the purposes of this chapter." Furthermore, various provisions within ECL article 15, title 15 confer broad rule making authority to the Department regarding the water withdrawal program. ECL 15-1501(4) directs the Department to promulgate a water withdrawal permit program and to establish monitoring, recordkeeping, and reporting requirements. This provision also authorizes the Department to establish permit exemptions by regulation in addition to statutory permit

exemptions. ECL 15-1501(4) authorizes the Department to impose permit conditions to ensure satisfactory compliance with the criteria supporting its determination to issue water withdrawal permits. Furthermore, ECL 15-1503(5) states that the Department may enact regulations governing permit applications, renewals, modifications, suspensions, and revocations under ECL article 15, title 15. Additionally, ECL 15-1527 authorizes the Department to regulate certain Long Island wells.

The Department has authority to establish permit exemptions by regulation irrespective of whether the withdrawal would otherwise be permitted pursuant to the statewide standard in ECL 15-1501(1) or the Long Island well permitting requirement in ECL 15-1527(1). In this regard, the permit exemption language in ECL 15-1501(4) is broad (“[t]he regulations may establish exemptions from permitting requirements”). Furthermore, ECL 15-1527(1) states that permits for Long Island wells are issued “pursuant to this title” (i.e., title 15), the same title that codifies the Department’s authority to establish permit exemptions by regulation. ECL 15-1501(4). The permit exemptions that the Department proposes to establish in Parts 601 and 602 do not conflict with any existing statutory exemptions in ECL 15-1501(7) or 15-1527(6).

2. **Legislative objectives:** The proposed rules accord with the Legislature’s public policy objectives. The 2011 amendments and associated legislative history reflect the Legislature’s intent to expand the scope of water withdrawals subject to regulation beyond public water supplies and Long Island wells, while also providing the Department with broad authority to establish permit exemptions by regulation. The proposed Part 601 and 602 regulations add, broaden, and clarify water withdrawal permit exemptions. These exemptions meet the legislative objective by discontinuing the need for water withdrawal permit coverage where such coverage would not provide a significant water conservation benefit. The broadened permit exemption relating to withdrawals from saline waters is a sensible permit exemption that is consistent with this legislative objective. The proposed rules also provide requirements for permit applications, registrations, reporting, recordkeeping, monitoring, and permit conditions. The Legislature intended the Department to regulate water withdrawals in this manner. ECL 15-1501(4); 15-1503(5). ECL 15-1527 reflects the Legislature’s understanding that Long Island is a location where dense residential and commercial development overlies a sole source aquifer on which residents rely for drinking water. The proposed Part 602 amendments eliminate the permit exemption for agricultural withdrawals from Long Island wells, in line with ECL 15-1527. Finally, the proposed Part 602 rules clarify the permit requirement for Long Island public water supply wells; specify the permit application process; and provide grounds for permit denials, modifications, revocations and suspensions, consistent with this legislative objective. ECL 15-1527; ECL 15-1501(4); ECL 15-1503(5).

3. **Needs and benefits:** The proposed Part 601 revisions add definitions; clarify water withdrawal reporting requirements, permit requirements, and existing permit exemptions; add, clarify, and broaden water withdrawal permit exemptions; specify permit application requirements; clarify and simplify agricultural water withdrawal annual registration requirements; specify monitoring methods; extend the recordkeeping time period; provide for possible waiver of pumping tests for existing groundwater sources; and specify certain language that may be included in permit conditions. The Part 601 revisions comport with the Department’s broad rulemaking authority in ECL 3-0301(2)(m) to implement the ECL. The proposed Part 601 revisions also accord with the Department’s statutory authority to promulgate rules for a water withdrawal permit program, including monitoring, recordkeeping, and reporting requirements (ECL 15-1501(4)) as well as the Department’s authority to enact regulations governing permit applications (ECL 15-1503(5)). The proposed Part 601 regulations that add, broaden and clarify water withdrawal permit exemptions are authorized by ECL 15-1501(4). The proposed rule providing language that may be included as conditions in water withdrawal permits is consistent with ECL 15-1501(4) which authorizes the Department to enact rules establishing satisfactory permit conditions. The proposed rules recognize that for privately owned public water supplies, proof of waterworks corporation formation in accordance with the Public Services Law (PSL) or Transportation Corporations Law is sufficient.

The Great Lakes-St. Lawrence River Basin Compact (“Compact”) is codified in ECL article 21, title 10. ECL 21-1001. New York is one of eight states that are parties to the Compact. Section 3.3.2. of the Compact authorizes New York and the other Compact parties to adopt regulations to implement and enforce the Compact. Diversions from the Great Lakes-St. Lawrence River Basin and from other drainage basins that exceed 1,000,000 gallons per day must annually register with the Department. 6 NYCRR 601.18. Consistent with the statutory authority codifying the Compact, the proposed rules require that renewals of interbasin diversions be submitted to the Department annually by March 31st and within at least 180 days of transfer of ownership of facilities which create an interbasin diversion - a change from the current 60-day deadline. 6 NYCRR 601.18(d).

The proposed Part 602 amendments clarify the water withdrawal permit requirement for Long Island public water supply wells; remove the permit exemption for agricultural withdrawals, consistent with discontinuance of that exemption in ECL 15-1527; add permit exemptions to improve consistency with existing Part 601 permit exemptions; specify permit application requirements and the timeframe for renewal applications; specify grounds to modify Long Island well permits; set forth criteria for denial, revocation and suspension of such permits; provide a maximum 10-year permit term in accordance with ECL 15-1527(3); and eliminate the need to perform a water analysis as part of the permit application process, which is not statutorily required. The proposed Part 602 revisions comport with the Department’s broad rule making authority in ECL 3-30301(2)(m) as well as the Department’s authority to regulate Long Island wells pursuant to ECL 15-1527. The revisions involving permits and permit exemptions accord with ECL 15-1501(4), which authorizes the Department to implement a permit program, and to establish water withdrawal permit exemptions by regulation. The Part 602 revisions dealing with applications, renewals, modifications, suspensions and revocations are authorized by ECL 15-1503(5).

The proposed rules provide clarity; make the regulations consistent with existing statutory authority; and ensure that the Department has access to necessary information. The proposed rules also simplify the regulations; improve terminology; and ensure that the regulations are internally consistent. The proposed rules will benefit the regulated community and the public by making the regulations easier to understand and by making processing of permit applications more efficient.

4. **Costs:** The proposed rules are not expected to impose any new or additional costs upon the regulated community, the State, the Department, or any other State agency or local government. Department staff evaluated the proposed rules when making this determination. In instances when a permittee qualifies for a pumping test waiver, the waiver will decrease or eliminate costs associated with performing a pumping test. If an entity qualifies for one of the new or broadened water withdrawal permit exemptions, this will eliminate the need for consulting services associated with preparation of a water withdrawal permit application as well as costs associated with recordkeeping and reporting. The requirement that the engineer’s report be signed and stamped by a professional engineer licensed by New York State will not increase the cost to report because this amendment simply conforms the regulations to the Department’s current practice.

5. **Local government mandates:** The proposed rules would not impose any program, service, duty or responsibility upon any county, city, town, village, school district, fire district, or other special district above and beyond current legal requirements.

6. **Paperwork:** The proposed rules will not result in any new reporting requirements, or the need for additional paperwork completion. However, the proposed rules now clarify that annual water withdrawal reports must be submitted by hydropower facilities operating under a valid Federal Energy Regulatory Commission exemption; require that for interbasin diversion registrations to be deemed complete, the engineer’s report must be signed and stamped by a professional engineer licensed by New York State; and obligate permittees to retain certain records and reports for ten years instead of five.

7. **Duplication:** There are no relevant rules or other legal requirements of State and federal governments that duplicate, overlap, or conflict with the proposed rules.

8. **Alternatives:** The no action alternative was considered. Under this alternative, Part 602 would continue to recite that water withdrawals from Long Island wells for agricultural purposes are exempt from permitting even though that permit exemption has been eliminated by statute; permit exemptions would not be added to Part 602 to correlate with Part 601 despite the Department’s express statutory authority to establish permit exemptions by regulation; and certain saline water withdrawals and some other categories of water withdrawals would continue to be regulated without any significant water conservation benefit. Furthermore, some requirements in Parts 601 and 602 would be less clear to the regulated community, and the Department’s ability to administer the water withdrawal program would not be improved. The no action alternative was rejected because no action would not provide the benefits of the proposed rules.

9. **Federal standards:** The proposed rules implement provisions of State law. There are no corresponding federal standards.

10. **Compliance schedule:** The proposed rules will take effect 30 days from the date of publication of the Notice of Adoption with the State Register, providing enough time for the regulated community to comply with the rules.

Regulatory Flexibility Analysis

1. Effect of rule

The proposed revisions to 6 NYCRR Parts 601 and 602 apply to all applicants for New York State Department of Environmental Conservation

("Department") water withdrawal and Long Island well permits. Any facility, including small businesses, withdrawing water above the regulatory threshold that is not otherwise exempt would be affected by the proposed amendments. The revisions to the regulations apply to small businesses and local governments to the same extent as to other owners or operators of water withdrawal systems. It is not possible to estimate how many small businesses in particular would be affected by the proposed changes because the Department does not track its business applicants by whether the applicant is a small, medium, or large size business. With respect to local governments, the Department administers water withdrawal permits for 690 actively reporting municipalities outside of the four Long Island counties, as well as about 390 Long Island well permits issued to local governments, municipalities, and authorities in the four Long Island counties.

2. Compliance requirements

The rule does not establish additional reporting or compliance requirements that are specific to small businesses and local governments. One proposed amendment extends the duration of recordkeeping to align with the duration of the permit but does not add to the number or type of records to be maintained. The proposed rules provide clarity and additional exemptions from permitting requirements. These requirements apply statewide and to all applicants, where relevant. Many small businesses and local governments have previously-permitted water withdrawals. No additional costs are expected to be incurred by regulated business or industry, including small businesses, or local government to comply with the proposed rules.

3. Professional services

The proposed rules will likely exempt some small businesses from permit requirements. These businesses will no longer need to procure the services of a professional engineer to prepare permit applications. Some small businesses may obtain a waiver of pumping test requirements for existing wells and will no longer need to procure the services of registered well drillers or geologists to perform these tests. The requirement for an engineer's report to be signed and stamped by a professional engineer licensed by New York State will not increase the need for the services of an engineer since this requirement is consistent with the Department's current practice and the technical aspects of the permit application process already necessitate engineering services to be procured.

4. Compliance costs

No additional costs are expected to be incurred by regulated business or industry, including small businesses, or local government to comply with the proposed rules. In some cases, costs to regulated parties, including small businesses and local governments, may decrease because section 601.9 increases the number of exemptions from permitting requirements. These businesses will no longer need to procure the services of a professional engineer to prepare permit applications. Some small businesses may obtain a waiver of pumping test requirements for existing wells, realizing savings of an estimated average of \$10,000, or more for multiple wells. The rule making revision to section 601.10(a) would allow privately owned public water supplies to prove in their water withdrawal permit applications that they have formed water-works corporations under either the Public Service Law or the Transportation Corporations Law. This revision will make the Department's processing of water withdrawal permit applications more efficient and may result in cost savings for these entities. The requirement for an engineer's report to be signed and stamped by a professional engineer licensed by New York State will not increase the need for the services of an engineer since this requirement is consistent with the Department's current practice and the technical aspects of the permit application process already necessitate engineering services to be procured.

5. Economic and technological feasibility

In complying with the proposed rules, there are no known economic or technological feasibility issues for businesses, including small businesses, and local governments. Any such issues would have been addressed when the existing regulations were enacted.

6. Minimizing adverse impact

The proposed rules provide clarity and additional exemptions from permitting requirements. The proposed rules will not have any adverse economic impacts on businesses, including small businesses, or local governments.

7. Small business and local government participation

The Department has communicated with small businesses and local governments on a regular basis in the course of implementation of the Part 601 and 602 regulations, including representatives of the agricultural, mining, golf course, and ski industries. Notably, in 2021 and 2022, the Department established an agricultural interest working group to clarify permit requirements and educate the farm community regarding existing permit requirements. That working group included the Farm Bureau, Northeast Dairy Producers Association (NEDPA), agricultural engineers, and crop farmers. Insights gained from those discussions, and discussions

with other small business interests, informed the clarifications, exemptions, and process simplifications included in the proposed amendments to Parts 601 and 602. In addition, a public information session specific to the proposed amendments was conducted on October 27, 2022. Invited attendees included NEDPA, the New York Farm Bureau, the Long Island Farm Bureau, local Soil and Water Conservation Districts, various county health departments, Environmental Justice communities and the general public. Informal communications with these groups has continued in 2023 and 2024. The Department will also be posting notice of the proposed rule making in the Environmental Notice Bulletin and in the publication Making Waves.

8. Cure Period

No cure period is necessary for the proposed rules because the proposed rules do not modify penalties and the regulated community will be able to comply with the revised rules when they take effect. The rules will take effect 30 days after publication of the Notice of Adoption in the State Register which allows the regulated community sufficient time to become familiar with the rules and to comply with them.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: The proposed rules apply statewide and include all rural areas of the State, any of which could include operators of water withdrawal systems (for example, agricultural facilities, golf courses, mining operations, and ski businesses) at or above the regulatory threshold volumes applicable to 6 NYCRR Parts 601 and 602.

2. Reporting, recordkeeping, and other compliance requirements; and professional services: The proposed rules do not establish additional reporting, recordkeeping or compliance requirements that are specific to rural areas. The proposed rules clarify the permitting and reporting requirements for agricultural water withdrawals and simplify reporting and application requirements for permit and interbasin transfer renewals, including those in rural areas. The proposed rules provide new permit exemptions for certain water withdrawals. Reporting, recordkeeping, and other compliance requirements for those exempted facilities, statewide, will be clarified or eliminated in the proposed rule making. In those instances, the need for related professional engineering services will decrease statewide. Water withdrawal facilities, statewide, that obtain a waiver of pumping test requirements for existing wells will no longer need the services of registered well drillers or geologists to perform those tests. The recordkeeping time period in 6 NYCRR 601.20(b)(1) is extended from five years to ten years, and applies to both rural and non-rural permittees throughout New York State. Likewise, other proposed requirements apply statewide and are not specific to rural areas. Professional consulting services may be needed in rural areas to comply with the rule, as may be necessary for other areas of the State. The new requirement that the engineer's report be signed and stamped by a professional engineer licensed in New York State will not add to the need for professional services or to the cost of the report since this requirement is consistent with the Department's current practice and engineering services are already needed as part of the permit application process.

3. Costs: The proposed rules will not add any costs to comply with the rules, including for the different types of private and public entities in rural areas. New exemptions for water withdrawals at some facilities, including some in rural areas, will reduce the cost of compliance. Some rural applicants may obtain a waiver of pumping test requirements for existing wells, potentially realizing an average estimated savings of \$10,000, or more for multiple wells.

4. Minimizing adverse impact: The proposed rules clarify permitting and reporting requirements for agricultural water withdrawal facilities consistent with existing statutory authority and provide new permit exemptions for certain water withdrawals. The proposed rules minimize adverse impacts to private and public sector interests in rural areas by being no more onerous than is necessary to accomplish the statutory duties of the New York State Department of Environmental Conservation ("Department"). The approaches suggested by SAPA Section 202-bb(2), and similar approaches were considered, but not necessary to minimize adverse impacts to rural areas.

5. Rural area participation: The proposed rules do not impact rural areas as distinct from other demographic or geographic regions of the State. The Department communicated with small businesses and local governments on a regular basis in the course of implementation of the Part 601 and 602 regulations, including representatives of the agricultural, mining, golf course, and ski industries. Notably, in 2021 and 2022, the Department established an agricultural interest working group to clarify permit requirements and educate the farm community regarding existing permit requirements. That working group included the New York Farm Bureau, Northeast Dairy Producers Association ("NEDPA"), agricultural engineers, and crop farmers. Insights gained from those discussions and discussions with other small business interests informed the clarifications, exemptions, and process simplifications included in the proposed rules.

Possible rural concerns are not distinct from the concerns of other stakeholders, and stakeholders who participated in the discussions represent stakeholders in rural areas as well as other demographic and geographic areas of the State. NEDPA, the New York Farm Bureau, the Long Island Farm Bureau, local Soil and Water Conservation Districts, various county health departments, Environmental Justice communities and the general public were notified in advance of an informational webinar on the proposed revisions that was held on October 27, 2022. The Notice of Proposed Rule Making will be published in the State Register and in the Environmental Notice Bulletin, and at least one virtual public hearing will be held.

Job Impact Statement

It is apparent from the nature and purpose of the proposed rules, as set forth in the Summary of Express Terms, that they will not have a substantial adverse impact on jobs and employment opportunities. The proposed rules will have no positive or negative impact on jobs and employment opportunities at all, except that the proposed rules are expected to result in a slight decrease in the need for consulting services that is not substantial for facilities that obtain pumping test waivers or that qualify for a permit exemption based upon the rule making revisions. The Department made this determination based on an analysis of the consulting services that would be needed after the rule making compared to those services currently needed.

Department of Health

NOTICE OF ADOPTION

Hospital Cybersecurity Requirements

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

Filing No. 771

Filing Date: 2024-09-13

Effective Date: 2024-10-02

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

Action taken: Addition of section 405.46 to Title 10 NYCRR.

Statutory authority: Public Health Law, section 2803

Subject: Hospital Cybersecurity Requirements.

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

Substance of final rule: The proposed regulation would create a new section 405.46 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York, to create cybersecurity requirements for all hospital facilities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Final rule as compared with last published rule: Nonsubstantial changes were made in section 405.46(b)(7), (8), (e)(3)(v), (g)(2), (h)(1), (n)(1) and (p)(1).

Revised rule making(s) were previously published in the State Register on May 15, 2024.

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

Revised Regulatory Impact Statement

Statutory Authority:

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

Legislative Objectives:

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

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

Needs and Benefits:

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

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

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

Costs:

Costs to Regulated Parties:

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

costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million.

Costs to Local and State Governments:

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

Local Government Mandates:

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

Paperwork:

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

Duplication:

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

Alternatives:

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

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

Federal Standards:

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

Compliance Schedule:

General hospitals will have one year from the effective date of the regulation to comply with the requirements set forth herein. However, subdivision (n) of the regulation, requiring general hospitals to notify the department as promptly as possible, but no later than 72 hours after determining a cybersecurity incident, as defined herein, has occurred, will be effective upon adoption in the State Register. The schedule as proposed was modified as a direct result of outreach to facilities by the Department who provided feedback on the difficulty in developing cybersecurity programs.

Revised Regulatory Flexibility Analysis

Effect of Rule:

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

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

ing, policy and program development, employee training and remediation, incident response and appropriate reporting protocols and records retention.

Compliance Requirements:

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

Professional Services:

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

Compliance Costs:

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

Economic and Technological Feasibility:

It is both economically and technologically feasible for hospitals to become compliant with the proposed regulations. There currently exists a significant amount of technology and software which can be licensed or purchased to provide network monitoring, notification, staff training and exercises and multifactor or risk-based authentication, among others. Economically, it will be easier for hospitals which are part of large healthcare systems or located in more urban areas to comply with these regulations than it may be for smaller or more rural facilities. This is due to the fact that the larger facilities and systems may already have aspects of the regulations already functioning as part of a mature cybersecurity program, or may have access to more capital and resources than smaller, more rural or standalone facilities. While several facilities voiced concerns related to the cost of implementation, the consequences of what can occur as a result of a cyber-attack far outweigh those costs. Days or weeks of downtime with an inability to bill for services can cost tens of millions of dollars (at a minimum), as well as the unknown cost of lost productivity, cancellation of elective surgeries, purchase of new computers, etc, can well exceed the yearly maintenance program costs.

Minimizing Adverse Impact:

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

ment released Statewide IV and Statewide V funding totaling \$650 million to assist with implementation of, and compliance with, the regulatory requirements. This funding was appropriated in the SFY 24 budget with the intention of supporting facilities' technological needs, including for cybersecurity purposes.

Small Business and Local Government Participation:

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

Parties the Department reached out to:

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

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

Revised Rural Area Flexibility Analysis and Job Impact Statement

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

Initial Review of Rule

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

Assessment of Public Comment

Comment: Two commenters stated that the definition of non-public information expands beyond a hospital's primary objective, which is patient care. The commenters recommended limiting the definition to protected health information (PHI) and personally identifying information (PII).

Response: The proposed regulation aims to enhance the overall cybersecurity resilience of hospitals in New York and preparedness statewide against cybersecurity attacks. The scope of the regulations extends beyond the protection of PHI and PII data to cover the systems that support the continuity of patient care across the hospital ecosystem. No substantial changes were made to the proposed regulation as a result of these comments; however, the Department made minor revisions to the definition of non-public information to explicitly mention PHI and PII.

Comment: One commenter recommended that the regulations align with existing controlling cybersecurity standards. They suggested that the less confusing and more economical approach is to incorporate by reference controlling rules and standards. The commenter took an example of multi-factor authentication (MFA) and stated that there is an industry standard toward requiring a stronger level of MFA that is more resistant to phishing attacks so the National Institute of Standards and Technology (NIST) and the Cybersecurity and Infrastructure Security Agency (CISA) will likely update their definitions. The commenter suggested using incorporation by reference in the regulations so that the Department will not have to update definitions as and when federal standards are amended.

Response: The Department will consider these comments in future rulemaking if there are significant changes to federal regulations. The Department anticipates publishing a document mapping the requirements in the regulations to existing NIST and Cybersecurity Performance Goals (CPG) standards. As a result of this comment, the definition of multi-factor authentication (MFA) has been amended to remain in alignment with future changes in federal rulemakings or industry standards.

Comment: One commenter recommended adding Endpoint Detection Response (EDR) as a requirement to the regulation as it can be leveraged to perform multiple cybersecurity tasks and be used to develop a comprehensive, risk-based cybersecurity strategy. The commenter also suggested including practical security practices in the regulations such as logging,

threat hunting and machine-learning based prevention provided by next-gen SIEM solutions.

Response: The Department understands that EDR is an important tool in any organization's cybersecurity program. However, listing a specific tool such as EDR, or any other industry standard tool is out of scope of this regulation. Appropriate tool selection should be aligned to a hospital's risk assessment. No changes to the proposed regulation were made as a result of this comment.

Comment: Two commenters requested clarification on what specific cybersecurity incident logs must be maintained by hospitals and recommend including the necessary key languages in the regulatory texts. One commenter stated that this requirement could be read as requiring hospitals to maintain log data of all security incidents which may potentially increase cost for hospitals.

Response: The proposed regulation states that "Each hospital shall also securely maintain systems to include audit trails designed to detect and respond to cybersecurity events that have a reasonable likelihood of materially harming any material part of the normal operations of the hospital, and cybersecurity incidents as defined in subdivision (b) of this section." The regulation only requires hospitals to retain logs from cybersecurity incidents that had a material adverse impact on the hospital, and therefore were required to be reported to the Department. No changes to the proposed regulation were necessary as a result of these comments.

Comment: Two commenters stated their opinion on third-party service provider cybersecurity requirements. One commenter mentioned that the third-party service provider requirements are prescriptive, requiring hospitals to ensure their vendors meet certain requirements, including the following: maintaining policies and procedures for access controls that are consistent with industry standards; maintaining policies and procedures addressing encryption; providing notice in the event of a cyber incident; and providing representation and warranties to the hospital about their cybersecurity posture. One commenter stated that these requirements go beyond controlling cybersecurity standards and requested that the Department amend the regulation to remove the prescriptive requirements. Another commenter recommended that minimum standards be adopted for third-party vendors, as hospitals may lack leverage with them when demanding contract terms specified in the regulations.

Response: The third-party vendor requirements in the regulations are minimum cybersecurity best practices, widely utilized across industries. These requirements are essential to maintain a hospital's security resiliency while contracting with third-party vendors. Hospitals shall conduct risk assessments and further detail third-party security policies and procedures based on their size, scope and security posture. No changes to the proposed regulation were made as a result of these comments.

Comment: One commenter recommended hospitals to implement Zero Trust Architecture in addition to multi-factor authentication (MFA) because, according to the commenter, it radically reduces or prevents lateral movement and privilege escalation during a compromise and can stop attacks even if legitimate credentials are compromised and MFA is bypassed. Response: The Department understands the value of Zero Trust Architecture. Adoption of Zero Trust Architecture should be based on hospital risk assessment and feasibility of implementation. No changes to the proposed regulation were made as a result of this comment.

Comment: Three commenters appreciated the Department revising the Department reporting timeline from two hours to 72 hours.

Response: The Department appreciates these comments in support of the regulation.

Comment: One commenter requested that the regulations include a more thoughtful approach to Department reporting and suggested introducing some leniency if a covered entity is unable to submit a required report. They also suggested the Department conduct a crosswalk between the information it receives via Health-ISAC and that which is being requested from hospitals via the regulations, and consider ways to ensure non-duplicative reporting.

Response: The purpose of this regulation is to ensure continued functioning of patient care and hospital operations. The 72-hour timeframe has been defined specifically for material incidents, and reporting within this time will allow the Department to setup health emergency response and limit exposure to other NYS entities.

The Department is a member of several Information Sharing and Analysis Centers (ISAC). The data normally distributed by ISACs are useful in responding to cybersecurity incidents; however, the Department requires additional data points in its reporting requirements to prioritize health emergency responses and ensure continuity of patient care services and hospital operations. The Department will continue to have discussions with the ISACs and other partner organizations to explore efficient and effective reporting and incident response. No changes to the proposed regulation were made as a result of this comment.

Comment: One commenter stated that the proposed regulations conflict with HIPAA regulations when it comes to the appointment of a CISO, as

the HIPAA security rule states that covered entities must identify a security official to develop security policies, and the HIPAA privacy rule states that covered entities must appoint a privacy official, who, in most cases, is the Security Officer.

Response: The regulations state “The hospital’s cybersecurity policy, upon recommendation by the CISO shall be approved by the hospital’s governing body, established pursuant to section 405.2 of this Part. If a committee is established for the specific purpose of supervising the hospital’s cybersecurity measures, the committee shall present the cybersecurity policy to the governing body for full approval and implementation.” The hospital’s policies will be reviewed by the CISO; however, the approval will happen only by the hospital’s governing body comprising of stakeholders within the hospital such as the Chief Privacy Officer (CPO) and other senior-level executives such as the Chief Compliance Officer and the Chief Risk Officer. No changes to the proposed regulation are necessary as a result of this comment.

Comment: One commenter stated that there may be a conflict with Social Services Law § 363-d and 18 NYCRR Part 521 and also mentioned that some of the roles and responsibilities of the CISO listed in the proposed regulations conflict with the roles of other senior professionals within the administrative construct of hospitals throughout the State such as the Chief Compliance Officer, Chief Privacy Officer or Chief Risk Officer.

Response: The regulations state that the responsibility of publishing policies falls under the hospital’s governing body. The hospital CISO shall recommend and review cybersecurity policies in collaboration with other stakeholders within the hospital, such as the CPO and other senior-level executives such as the Chief Compliance Officer and the Chief Risk Officer. No changes to the proposed regulation are necessary as a result of this comment.

Comment: One commenter stated that managed care organizations that are subject to the proposed regulations and 18 NYCRR Part 521, are also subject to 23 NYCRR Part 500. The commenter stated that given the requirements of 23 NYCRR Part 500, as well as the requirements of 18 NYCRR Part 521, it may be difficult for managed care companies to fulfill 23 NYCRR Part 500, 18 NYCRR Part 521, and the proposed regulations.

Response: The proposed regulations only apply to Article 28 general hospitals and not to managed care organizations. Nevertheless, the Department does not foresee any conflict between the regulations cited by the commenter and therefore no changes to the proposed regulation were made as a result of this comment.

NOTICE OF ADOPTION

Reproductive Health Care Standards

I.D. No. HLT-19-24-00019-A

Filing No. 769

Filing Date: 2024-09-13

Effective Date: 2024-10-02

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

Action taken: Amendment of Part 12 of Title 10 NYCRR and section 505.2(e) of Title 18 NYCRR.

Statutory authority: Public Health Law, sections 201, 206 and 225; Social Services Law, sections 363-a(2) and 365-a(2)

Subject: Reproductive Health Care Standards.

Purpose: Reconciliation with Article 25-a of the Public Health Law and alignment with evidence-based clinical guidelines.

Text or summary was published in the May 8, 2024 issue of the Register, I.D. No. HLT-19-24-00019-P.

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

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

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 Health (Department) proposed amendments to Part 12 of Title 10 and section 505.2(e) of Title 19 NYCRR, which were posted in the May 27th issue of the New York State Register. The intent of these amendments is to modernize the definition of

abortion, to reflect the most current clinical guidance regarding abortion care, to ensure patients receiving abortion care do not undergo unnecessary treatments due to outdated laws and regulations. In addition, these changes align regulations to the terms of the Reproductive Health Act (RHA), and to ensure that health care providers are not being charged medical malpractice rates that are not justified.

During the public comment period, comments were received from three (3) stakeholders: The New York Civil Liberties Union; The American College of Obstetricians and Gynecologists (ACOG); and Planned Parenthood Empire State Acts. These comments, along with the Department’s responses, are summarized below.

1. New York Civil Liberties Union (NYCLU):

The NYCLU applauds the proposed rule, which aligns the regulations with the RHA, and urges the Department to expediently finalize it. NYCLU indicated that this proposed rule would align New York’s regulations with the RHA, clarify how New York law provides expansive access when a patient needs care, and remove stigmatizing and problematic language from the books.

Response: The Department appreciates New York Civil Liberties Union’s comments in support of the regulatory amendments. No changes were made as a result of these comments.

2. The American College of Obstetricians and Gynecologists (ACOG):

- Removal of sections 12.13 and 12.20 of Part 12 of Title 10, regulations governing the “protection of infants and children against hazards.” Striking abortion language from this regulation is important to reflect abortion as a health care service in our regulations.

- Addition of a new section 12.21 to align the determination of Rh type and administration of Rh immune globulin is in line with ACOG’s evidence-based clinical guidelines.

- Amendment of section 505.2(e) of title 18 of NYCRR to update language on the types of abortion, including removal of “surgical” abortion, more accurately reflects the way care is delivered either through procedural or medication abortion.

- The removal of outdated language that limits the provision of abortion services to physicians only will bring the regulations into conformity with the Reproductive Health Act’s clarification of allied health professionals’ abilities to provide abortions within their scope of practice.

Response: The Department appreciates The American College of Obstetricians and Gynecologists’ comments in support of the regulatory amendments. No changes were made as a result of these comments.

3. Planned Parenthood Empire State Acts.

The proposed repeal of 10 NYCRR §§ 12.13 and 12.20 and amendment of 10 NYCRR 12.20 furthers the work of Planned Parenthood by removing outdated requirements on abortion care. These proposed amendments will allow providers to practice consistent with clinical standards and guidelines as those continue to evolve and facilitate increased access to abortion care through evolving modalities, like telehealth. Further, the retitling of this section will reduce abortion stigma by more accurately reflecting the goals and contents of the regulation.

The changes proposed to the regulations governing the standards for Medicaid coverage for abortion services are necessary to align with the Reproductive Health Act and current practice of the Medicaid program. The proposed amendments remove the requirement that only physicians may provide abortion care, in alignment with the changes made by the Reproductive Health Act and clarify the medical necessity standard for coverage within Medicaid to reflect the language used in recent years by the Office of Health Insurance Programs.

Response: The Department appreciates Planned Parenthood Empire State Acts’ comments in support of the regulatory amendments. No changes were made as a result of these comments.

NOTICE OF ADOPTION

Disease Outbreak Investigation and Response Clarifications

I.D. No. HLT-23-24-00001-A

Filing No. 770

Filing Date: 2024-09-13

Effective Date: 2024-10-02

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

Action taken: Amendment of section 2.6 of Title 10 NYCRR.

Statutory authority: Public Health Law, sections 225 and 2103

Subject: Disease Outbreak Investigation and Response Clarifications.

Purpose: Authorizes NYSDOH to provide flexibilities to LHDs to prioritize reportable diseases that need to be fully investigated.

Text or summary was published in the June 5, 2024 issue of the Register, I.D. No. HLT-23-24-00001-P.

Final rule as compared with last published rule: No changes.
Text of rule and any required statements and analyses may be obtained from: Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

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 Health (NYSDOH or “the Department”) published a Notice of Proposed Rulemaking in the State Register on June 05, 2024, regarding a change to Section 2.6 of 10 New York Codes, Rules, and Regulations (NYCRR) pertaining to communicable disease that authorizes the Department to provide flexibilities to local health departments (LHDs) to prioritize reportable diseases that need to be fully investigated. The Department received two (2) public comments from: the New York State Association of County Health Officials (NYSACHO) and the New York City Department of Health and Mental Hygiene (NYCDOHMH) that were overall supportive of the proposed amendments, along with recommendations from both for additional amendments and continued discussions to further clarify state and local authority for leading local communicable disease investigations. These comments and the Department’s responses are summarized below.

Comment: Both NYSACHO and NYCDOHMH acknowledged the productive discussions had with the Department in developing regulatory amendments that incorporate necessary flexibility to prioritize investigation and response efforts at the local level. NYSACHO expressed that they are “fully supportive” of these amendments and noted that the approach “reflects current practices” and “provides a more adaptable framework that allows LHDs to allocate resources efficiently and respond effectively to public health threats.” NYCDOHMH expressed explicit support of the flexibility provided by the proposed addition of “as the circumstances may require” to Section 2.6(a); the addition of “in consultation with the local health authority” to Section 2.6(c)(1), and the addition of “as necessary” to Section 2.6(a)(6).

Response: The Department appreciates the support of the proposed amendments by both NYSACHO and NYCDOHMH and the collaborative discussions to develop a regulatory framework that protects public health and is reflective of current practices for prioritizing investigation and response efforts at the local level. No changes were made to the proposed regulation in response to these comments.

Comment: NYSACHO reiterated prior concerns and opposition to the provisions of Section 2.6(d), which pertain to the Commissioner of Health’s authority to lead investigation and response activities in certain circumstances. Both NYSACHO and NYCDOHMH expressed interest in continuing discussions with the Department and recommended amendments to other provisions in regulation outside of the scope of the proposed rulemaking. Suggested future amendments included: adding language to Section 2.6 that provides local health authorities the opportunity to request that the Department assume lead role for disease investigation at facilities not regulated by the local health department; modifying language in Section 2.6(c)(2) to allow for flexibility in the content and timeframe of disease investigation reports in consultation with local health authorities; adding language to Section 2.6(d)(1) that provides the Commissioner of Health as the designated lead for disease investigation involving state-regulated facilities over which the Department has regulatory oversight; and modifying language in Section 2.6(d)(2) to clarify decision-making and response activities conducted by local health authorities in consultation and coordination with the State Health Commissioner, rather than at the direction of the Health Commissioner.

Response: The Department appreciates the clarification from NYSACHO that the additional recommendations are for future discussion and not part of the comment on the current proposed amendments to Section 2.6. The current proposed regulatory amendments are responsive to prior feedback and comments received from both NYSACHO and the NYCDOHMH submitted in response to amendments to Sections 2.1 and 2.6, adopted in 2023. The current amendments to Section 2.6 were discussed at length with NYSACHO and the NYCDOHMH and specifically address concerns about flexibility and clarity pertaining to investigation and response of communicable disease at the local level. The Department discussed with NYSACHO the fact that these amendments would not address all the organization’s concerns about Section 2.6, that the currently proposed amendments were generally agreed upon and therefore could likely be implemented relatively quickly, and that many of the additional proposed changes would require more extensive discussion. With the concurrence of NYSACHO, the Department therefore prioritized development of the current proposed regulatory amendments to provide expeditious relief to local health departments. No changes were made to the proposed regulation in response to these comments.

Comment: The NYCDOHMH expressed concern about the inclusion of the language “consistent with any direction that the State Commissioner of Health may issue” in Section 2.6(a), which explicitly allows the Commissioner to issue guidance impacting investigation and response activities. NYCDOHMH asserts that the language undermines local health departments and suggests this language be omitted.

Response: This language was specifically included to provide flexibility in the regulation, allowing local health authorities to prioritize their investigation activities and make the best use of their resources for the good of public health. Without this language, the wording and intention of the regulation might be unclear: on one hand it could be read as not offering any flexibility to local health authorities; on the other hand, it could be read as allowing each local health authority to create their own disparate investigation protocols, possibly unbeknownst to the Department, resulting in confusion and disorder in investigation and surveillance. No changes were made to the proposed regulation in response to this comment.

Comment: The NYCDOHMH commented that Section 2103 of the Public Health Law (PHL) is cited as the specific statutory authority for the current proposed regulatory amendments; however, this provision is not applicable to New York City.

Response: While the Department recognizes that Article 21 of the Public Health Law is not applicable to the city of New York, pursuant to the authority vested in the Public Health and Health Planning Council (PHHPC) and the Commissioner of Health by Public Health Law § 225, any amendments made to the State Sanitary Code, including to Section 2.6, are applicable to New York City. Hence New York City is subject to the requirements set forth in the regulation. No changes were made to the proposed regulation in response to this comment.

Department of Labor

NOTICE OF EXPIRATION

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

Pay Transparency in Job Advertisements

I.D. No.	Proposed	Expiration Date
LAB-37-23-00003-P	September 13, 2023	September 12, 2024

Office of Mental Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Relating to the Personalized Recovery Oriented Services (PROS)

I.D. No. OMH-40-24-00011-P

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

Proposed Action: Repeal of Part 512; and addition of new Part 512 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09, 31.04, 43.01, 43.02; Social Services Law, sections 364, 364-a, 364-j and 365-m

Subject: Relating to the personalized recovery oriented services (PROS).

Purpose: To align such program with the State Plan Amendment.

Substance of proposed rule (Full text is posted at the following State website: https://omh.ny.gov/omhweb/policy_and_regulations/):

Part 512 will be repealed and replaced with new regulations intended to align with a redesign of the PROS model and the 2024 State Plan Amendment (SPA) (#23-0098). These new regulations are intended to simplify program implementation and provide clarity on program requirements, which involved restructuring the regulations into new sections.

- Updated language throughout to conform with changes in naming conventions, including:
 - o Replaced gendered pronouns with gender neutral pronouns.
 - o Updated State agency names for the Office of Addiction Services and Supports, Adult Career and Continuing Education Services – Vocational Rehabilitation, and the Justice Center for the Protection of People with Special Needs.

o Updated program names for Health Home Care Coordination, Office for People with Development Disabilities (OPWDD) employment and habilitation programs.

o Removed any mention of limited license PROS programs to conform with the SPA. It is noted that Office of Mental Health (OMH) has not certified any limited license PROS programs in over 10 years. We removed the word “comprehensive” before PROS, as this term was used to distinguish from limited license PROS.

- Changes to section 512.4 Definitions:

o Removed definition for “capacity” as this number in PROS is only used in reference to the fire capacity of the licensed space and is often confused with the monthly caseload.

o Amended definition for “collateral” to expand who qualifies as a collateral in alignment with other rehabilitative services in New York State (NYS) and to support integration and coordination of care.

o Removed definition for “clinical staff” as this term will not be used in redesign. All staff will be categorized as paraprofessional or professional staff.

o Added definition for “competent mental health professional” to clearly define who may supervise Peer Support Services.

o Amended definition of “designated mental illness diagnosis” to align with current language used in the Diagnostic and Statistical Manual of Mental Disorders (DSM) or International Classification of Diseases (ICD). These edits are clarifying and will not result in any policy change in terms of who is or is not eligible for PROS.

o Added definition for “direct supervision” in alignment with the SPA.

o Amended definition of “functional disability” to align with current language suggested by the Substance Abuse and Mental Health Services Administration (SAMHSA). These edits are clarifying and will not result in any policy change in terms of who is or is not eligible for PROS.

o Added definition for “in-person” and removed the definition for “face-to-face,” as the significance of these terms has changed since the promulgation of 14 NYCRR Part 596 and the implementation of telehealth services.

o Amended definition for “licensed practitioner of the healing arts” to align with the SPA. This includes adding licensed mental health counselors, licensed marriage and family therapists, licensed creative arts therapists, licensed psychoanalysts, and licensed occupational therapists.

o Amended definition for off-site to align with changes in the reimbursement model.

o Added definition for “paraprofessional staff” in alignment with the SPA. This includes adding definitions for certified peers and licensed practical nurses.

o Amended the definition of “professional staff” to add Certified Psychiatric Rehabilitation Practitioners and to clarify that limited permit holders also qualify as professional staff in PROS.

o Amended the definition of “PROS unit” to align with new reimbursement methodology in the SPA.

- Restructuring sections 512.5-8 to simplify regulations for program implementation; this included moving information between sections to promote readability:

o Moved “Certification” from section 512.6 to section 512.5.

o Moved and updated “Service categories and requirements” from section 512.5 to section 512.6 (now “Components and services,” and incorporated component and service-specific information from section 512.7 where relevant.

o Updated “Documentation” in section 512.8 to include information previously included in section 512.7; this section 512.8 has been renamed “Admission, assessment, individualized recovery planning, and documentation”.

- Regulatory changes in section 512.5, Certification:

o Eliminated the concept of “capacity” throughout and replaced with “monthly caseload” where relevant; this aligns with how programs are currently licensed.

o Updated what will be included on the operating certificate, replacing capacity with monthly caseload and including approved optional services.

- Regulatory changes in section 512.6, Components and services:

o Moved information from the previous section 512.7 “Program operations” so that all information related to components and services is found in one place.

o Clarified the component and service definitions in alignment with the proposed redesign SPA.

o Added qualified practitioners to each service definition so that programs will understand who can deliver and supervise each service; aligned staff qualifications with State scope of practice laws where necessary.

o Removed definitions for Basic Living Skills Training, Benefits and Financial Management, Community Living Exploration, Information and

Education Regarding Self-Help, Structured Skill Development and Support, and Wellness Self-Management in alignment with the proposed redesign SPA; note that these services will be rolled into a single Psychosocial Rehabilitation service, also under the community rehabilitation and support (CRS) component.

o Replaced the definition of CRS Assessment with two new services previously approved in the 2019 SPA:

- Alcohol, Tobacco, and Other Drug Assessment.

- Psychiatric Rehabilitation Assessment.

o Adding definitions for new services as included in the proposed redesign SPA:

- Complex Care Management.

- Peer Support.

- Psychosocial Rehabilitation.

o Recategorized Cognitive Remediation as an optional service under the Intensive Rehabilitation component, instead of CRS.

o Updated the regulations to align with Telehealth Guidance, requiring that individuals who receive intensive rehabilitation (IR) services must be seen at least once in-person or through audio-visual telehealth during the calendar month.

o Expanded the definition of Ongoing Rehabilitation and Support component and service to include support for individuals in integrated educational programs.

- Regulatory changes to section 512.7, Program operations:

o Maintained the requirement that programs must have a program schedule which includes recovery-oriented activities and aligns with Telehealth Guidance, requiring programs to have daily in-person group services available.

o Maintained requirements related to integration of rehabilitation, treatment, and support.

o Amended Staffing and Supervisory requirements to:

- Clearly describe minimum staffing requirements for different levels of staff.

- Align psychiatry and nursing coverage with mental health outpatient treatment and rehabilitation services (MHOTRS), with coverage based on clinical needs instead of prescribed full-time employees (FTEs) to allow PROS programs to use a psychiatric nurse practitioner to meet psychiatry needs without a regulatory waiver.

- Include employment specialist requirement in regulation (currently this is required in programmatic guidance and under the State Spending Plan Guidelines).

- Replaces the 40% professional staff requirement with a 1:34 professional staff to participant ratio.

- Requires that all PROS programs, regardless of size, have one professional staff in addition to the licensed practitioner of the healing arts (LPHA) to allow for coverage due to staff absences.

- Replaces component and attendance specific staffing ratios with a 1:14 staff to participant ratio; this ratio is inclusive of the professional staff outlined above.

- Regulatory changes to section 512.8, Admission, Assessment, Individualized Recovery Planning, and Documentation:

o Reorganized by combining information from the previous sections 512.7 and 512.8 so that all information about a specific topic can be found in one place.

o For LPHA Recommendations by an outside provider, added flexibility to allow programs to capture national provider identifier (NPI) or license number instead of only license number.

o Revised required elements in an Individualized Recovery Plan to reduce administrative burden while preserving the most important elements:

- Multiple of the required elements needed to be “identified in the summary of findings provided in each required assessment”; we changed this so that information, like strengths and barriers, can be included whether they were identified in the assessment process or at any other point in services.

- Added recovery vision.

- Removed anticipated outcomes, as it is duplicative of goals and objectives.

- Removed the requirement that individuals receiving IR, ORS, or Clinical Treatment need an additional justification for these components in their IRP.

- Removed relapse prevention plan as a requirement.

- Removed description of how CT and Rehabilitation services will be integrated.

- Amended signature requirements to align with the Redesign SPA including adding LPHA signature and removing Psychiatrist/NPP signature requirement.

o Updated the service addition rules to include the signature of the supervising LPHA when a new service is added between IRP review period.

o Removed the requirement that IR and ORS services must be reviewed every three (3) months.

o Clarified current expectations related to IRP reviews and significant life events.

o Updated the required elements in monthly summary note to reduce administrative burden while ensuring that progress toward goals and objectives is captured in the case record.

o Replaced documentation related to program participation time with documentation requirements for individual and group-based service delivery.

o Updated the required elements in the case record to remove documentation requirements related to Integrated Treatment for Co-Occurring Disorders in order to reduce administrative burden and increase access to integrated treatment services.

o Removed the requirement for tracking program participation time as part of the case record.

• Changes to section 512.9, Organization and administration:

o Clarified the requirement related to promoting the competency of the workforce to indicate that organizations are responsible for ensuring that staff complete required trainings as specified by OMH.

• No changes to section 512.10, Rights of PROS participant.

• Changes to section 512.11, Medicaid reimbursement:

o Removed a reference to NYS VESID that is out of date.

o Replaced the language related to units, tiers, service frequency, and program participation time with the new reimbursement methodology.

o Removed the list of medically necessary services in PROS to align with the Redesign SPA.

o Updated the reimbursement for add-on components to increase flexibility for ORS to be provided in shorter sessions of no less than 15 minutes each.

o Clarified the 50% IR cap, which applies to paid CRS claims not submitted CRS claims.

o Updated Clinic Treatment add-on component rules so that the psychiatrist or PNP only needs to see individuals receiving medication management specifically, creating more flexibility for participants to receive other clinical treatment services.

o Updated co-enrollment restrictions to include updated program names and models, including:

■ Changed OMH Clinic to MHOTRS.

■ Added Health Home Care Management.

■ Updated OPWDD program names to include current habilitation and employment programs.

o Allowed for co-enrollment between PROS with Clinical Treatment and OPWDD Article 16 Clinic to improve flexibility and access to services.

o Allowed for co-enrollment between PROS with Clinical Treatment and OASAS Article 32 Clinic to improve flexibility and access to services.

• Changes to section 512.12, Rates of payment:

o Replaced table with outdated rates and tiers with information on where providers can find current information.

• Changes to section 512.13, Premises:

o Changed “capacity” to “monthly caseload”.

• No changes to section 512.14, Quality improvement.

• Changes to section 512.15, Waivers:

o Removed language related to waivers for psychiatry coverage due to changes we made in section 512.7; there will no longer be a need for this type of regulatory waiver.

• No changes to section 512.16, Transition to Part 512.

• No changes to section 512.17, Enforcement.

• No changes to section 512.18, Audits.

• Struck section 512.19, Behavioral health organizations, as this is outdated and no longer applicable due to the Medicaid managed care carve-in for behavioral health.

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

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

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

Regulatory Impact Statement

1. Statutory Authority: Section 7.07(c) of the Mental Hygiene Law charges the Office of Mental Health with the responsibility for seeing that persons with mental illness are provided with care and treatment, and that such care, treatment and rehabilitation is of high quality and effectiveness.

Sections 7.09 and 31.04 of the Mental Hygiene Law grant the Commissioner of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction, and to set standards of quality and adequacy of facilities, equipment, personnel, services, records and programs for the rendition of services for

adults diagnosed with mental illness or children diagnosed with emotional disturbance, pursuant to an operating certificate.

Sections 364 and 364-a of the Social Services Law give the Office of Mental Health responsibility for establishing and maintaining standards for medical care and services in facilities under its jurisdiction, in accordance with cooperative arrangements with the Department of Health.

Section 43.01 of the Mental Hygiene Law gives the Commissioner authority to set rates for outpatient services at facilities operated by the Office of Mental Health. Section 43.02 of the Mental Hygiene Law provides that payments under the medical assistance program for outpatient services at facilities licensed by the Office of Mental Health (OMH) shall be at rates certified by the Commissioner of Mental Health and approved by the Director of the Budget.

2. Legislative Objectives: Articles 7 and 31 of the Mental Hygiene Law reflect the Commissioner’s authority to establish regulations regarding mental health programs. The proposed rule furthers the legislative policy of providing high quality outpatient mental health services to individuals with mental illness in a cost-effective manner. The repeal and replacement of 14 NYCRR Part 512, ensure that individuals with serious mental illness receive effective services to address their illness and that providers receive adequate reimbursement to pay for such care.

3. Needs and Benefits: On November 22, 2019 the New York State Plan Amendment (SPA) #16-0041 was approved for adoption into the State Medicaid Plan with an effective date of April 1, 2016. The SPA comprehensively describes the methodology and service components for Personalized Recovery Oriented Services (PROS). Included in the SPA were programmatic and billing changes intended to expand the eligible staffing qualifications, add new services, and better define service components of existing PROS services. The new language reflects changes made by the NYS Department of Education, of four new titles added to the definitions for Licensed Practitioners of the Healing Arts (LPHA): Licensed Mental Health Counselor, Licensed Creative Arts Therapist, Licensed Marriage and family Therapist, and Licensed Psychoanalyst. Changes were made in the SPA to offer regulatory relief and increased access to services for PROS participants including the removal of the restriction that previously prohibited co-enrollment of an individual in a PROS with Clinic and an OMH licensed (Part 599) Clinic operated by the same organization. This repeal and replace of Part 512 aligns regulations with the 2019 SPA, which is in alignment with the Center for Medicaid and Medicare Services (CMS).

Over the last three years, the OMH has worked closely with PROS programs and participants to engage in a programmatic and reimbursement redesign of the model with the intent of modernizing and strengthening the program. These efforts included multiple workgroups, focus groups, listening sessions, and surveys. The goal of the redesign is to improve outcomes, enhance flexibility for providers and participants, and to ensure fiscal viability of the model in a changing environment post-pandemic. On December 28, 2023, New York State submitted an updated State Plan Amendment (#23-0098) that is currently pending approval with the CMS. The updated SPA includes significant programmatic and billing changes that are intended to increase flexibility and reduce administrative burden, streamline reimbursement, and simplify the program model. The updated SPA adds new services (Peer Support and Complex Care Management) that contribute to the comprehensiveness of the PROS model, combines multiple psychosocial rehabilitation services into a single psychosocial rehabilitation service to reduce confusion, identifies additional rehabilitative staff qualifications to ease the impact of the workforce crisis, and increases our flexibility to address future workforce issues.

The repeal and replacement of Part 512 is intended to align the regulations with the changes made to the model in the SPA, incorporating both the changes approved by CMS in 2019 (#16-0041) and the changes pending approval in 2024 (#23-0098).

4. Costs:

(a) Cost to State government: Any costs associate with these amendments are Medicaid eligible and shared with the Federal Government. The fiscal impact parallels the impacts quoted with the SPA submissions which are a net zero impact.

These are:

- SPA 16-0041 \$0 impact;

- SPA 23-0098 \$92,528 however, this amount is fully attributable to the 1/1/23 minimum wage increase.

(b) Cost to local government: The repeal and replacement of Part 512 will not result in any additional costs to local government.

(c) Cost to regulated parties: The repeal and replacement of Part 512 will not result in any additional costs to those regulated parties.

5. Local government mandates: The repeal and replacement of Part 512 will not result in any additional imposition of duties or responsibilities upon county, city, town, village, school or fire districts.

6. Paperwork: No substantial increase in paperwork is anticipated as a result of the repeal and replacement of Part 512.

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

8. Alternatives: No alternatives were considered, as these amendments seek to conform regulations to the SPA and CMS guidelines to ensure that PROS programs remain in compliance. Not conforming to the SPA will cause confusion in the field regarding both service delivery and payment.

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

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

Regulatory Flexibility Analysis

No regulatory flexibility analysis is required pursuant to section 202-(b)(3)(a) of the State Administrative Procedure Act. The proposed amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, recordkeeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

No rural area flexibility analysis is required pursuant to section 202-bb(4)(a) of the State Administrative Procedure Act. 14 NYCRR Part 512 will align the clinic program with the State Plan Amendment and provide for greater flexibilities. The proposed rule will not impose any adverse economic impact on rural areas; therefore, a Rural Area Flexibility Analysis is not necessary with this notice.

Job Impact Statement

The amendments to 14 NYCRR Part 512 are intended to provide regulatory relief to providers and allow flexibility in the delivery of mental health services to more accurately reflect the needs of recipients and standards of good clinical care and to conform to the most recent proposed updates to the New York State Plan Amendment. It is evident from the subject matter of this rule that it could only have a positive impact or no impact on jobs or employment, therefore a Job Impact Statement is not necessary with this notice.

Commission on Prosecutorial Conduct

REVISED RULE MAKING NO HEARING(S) SCHEDULED

Operating Rules and Procedures

I.D. No. CPC-17-24-00010-RP

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

Proposed Action: Addition of Part 10400 to Title 9 NYCRR.

Statutory authority: Judiciary Law, section 499-d(5)

Subject: Operating Rules and Procedures.

Purpose: To provide the operating rules and procedures for the Commission on Prosecutorial Conduct.

Substance of revised rule (Full text is posted at the following State website: Please visit the Commission on Prosecutorial Conduct's website at <https://www.ny.gov/new-york-state-commission-prosecutorial-conduct>. The revised proposed rules are posted under the tab Revised Proposed Operating Rules and Procedures): This notice of revised rulemaking provides the rules that govern the Commission on Prosecutorial Conduct to review and investigate the conduct of prosecutors. Upon the filing of a complaint with the commission, the commission shall examine whether a prosecutor or prosecutors has committed conduct in the course of their official duties or under color of state law potentially violative of statutes, the legal rights of private person, whether statutory, constitutional or otherwise; case law; or court rules, including, but not limited to the New York Rules of Professional Conduct, 22 NYCRR 1200, or any subset thereof or successor thereto, including but not limited to Rule 3.8 (Special Responsibilities of Prosecutors and Other Government Lawyers). The specific rules are as follows:

Section 1:

Provides definitions for 17 terms used throughout the rules.

Section 2:

Explains how complaints are processed by the commission. Complaints

must be signed by the complainant and, if directed by the commission, verified by the complainant. Commission staff may engage in preliminary analysis and fact-finding to aid the commission in determining whether to authorize an investigation. The commission shall either authorize an investigation or dismiss a complaint. The commission also has the authority to initiate a complaint; if the commission initiates a complaint, an administrator's complaint must be filed as part of the record.

Section 3:

Explains the commission's investigation procedures. Investigations shall only be authorized by the commission. If an investigation is initiated, the prosecutor shall be notified and provided with a copy of the complaint. The prosecutor shall have the right to be represented by counsel and present evidentiary data and material relevant to the complaint. The administrator or the commission may subpoena witnesses, compel their attendance, and require the production of evidence deemed relevant or material to the investigation and/or complaint. Either party may request that the commission seek a court order to access materials that are prohibited by statute from disclosure. The commission may authorize any member of its staff to administer oaths or affirmations and examine witnesses under oath. Witnesses required to appear may be represented by counsel who can advise them but cannot participate in the proceedings.

The prosecuting agency may inform the commission by affirmation, with specificity and particularity in writing to the administrator, of its position that the commission's investigations will substantially interfere with the agency's own criminal investigation.

If a prosecutor is required to appear they will be given notice; either a referee or commission member will be present during a prosecutor's appearance; failure to appear may be deemed an admission unless the prosecutor provides good cause for failing to appear; and the prosecutor will receive electronic copies of their transcript.

All interviews pursuant to a subpoena shall be recorded and transcribed.

At the end of an investigation, commission staff shall prepare a report which will be used by the commission to either dismiss the complaint, direct further investigation, request a response from the prosecutor, direct the filing of a formal written complaint, or take any other action authorized by law.

Section 4:

Provides the procedures for formal complaints from notice through post-hearing motions practice. The applicable law for a hearing is section 499-f, subdivision 4 of the Judiciary Law. This section also provides additional detail for the role of the referee. The burden of proof at the hearing is preponderance of evidence and the rules of evidence applicable in New York Courts shall be followed. The respondent prosecutor shall have the right to be represented at all stages of the formal complaint process and the hearing shall not be public unless the respondent prosecutor shall so demand in writing. The referee shall submit a report to the commission with proposed findings of fact and conclusions of law; however, no recommendation shall be made with respect to the sanction to be imposed.

Section 5:

Provides the final dispositions that are available to the commission. The commission shall transmit its findings of fact and recommendations and the record of the proceedings upon which such findings and recommendations are based, to the attorney grievance committee of the appellate division in the department where the prosecutor was admitted to practice. The prosecutor involved will receive a copy of these materials. These materials shall also be made available for public inspection at the principal office of the commission, at the office of the clerk of the appellate division in the department in which the record was filed, and online through the commission's website. If the commission's findings and recommendations include that the district attorney should be removed or retired, the commission shall simultaneously transmit these materials to the governor. If the commission's findings and recommendations include any recommendation that an assistant district attorney should be removed or retired, the commission shall simultaneously transmit these materials to the district attorney under whom such assistant district attorney serves. The records of the prosecuting agency provided by the agency to the commission pursuant to the Judiciary Law shall not be subject to disclosure. The commission may dismiss the complaint if it determines there is insufficient evidence to support the allegations, if the commission staff has not carried its burden of proof, or for other justifiable reasons. The complainant shall be notified of the disposition of the complaint.

Section 6:

States that the confidentiality of the commission's records shall be governed by section 499-g of the Judiciary Law and that section 499-h of the Judiciary Law governs the procedures for disciplining staff for breaches of confidentiality.

Section 7:

The rules of the commission may be amended with the concurrence of at least six members.

Section 8:

Requires eight members of the commission for quorum and the concurrence of six members of the commission. If a three-member panel is authorized pursuant to section 499-e of the Judiciary Law, two members of the panel constitute quorum and the concurrence of two members of the panel shall be necessary for any action taken.

Section 9:

The commission’s principal office shall be its New York City office.

Section 10:

The commission shall designate a clerk of the commission. The clerk shall not participate in the investigation or in an adversarial capacity in any manner before the commission. The clerk serves at the pleasure of the commission and their duties include: assisting in matters concerning commission’s consideration of formal charges; serving as the commission’s liaison to the referees; corresponding on behalf of the commission with attorneys with matters before the commission; scheduling oral matters; assisting the commission in the preparation of determinations and orders; transmitting the record of matters to the appropriate entity pursuant to sections 499-f, subdivisions 7-8 of the Judiciary Law; and notifying complainants of the commission’s disposition of the complaints.

Revised rule compared with proposed rule: Substantial revisions were made in sections 10400.1(f), 10400.3, 10400.5, 10400.2(b) and 10400.4.

Text of revised proposed rule and any required statements and analyses may be obtained from Michael A. Simons, Chair, Commission on Prosecutorial Conduct, St. John’s University, 8000 Utopia Parkway, Queens, New York 11439, (718) 990-6601, email: michael.simons@cpc.ny.gov

Data, views or arguments may be submitted to: Michael A. Simons, Chair, Commission on Prosecutorial Conduct, St. John’s University, 8000 Utopia Parkway, Queens, New York 11439, (718) 990-6601, email: regulations@cpc.ny.gov

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

Revised Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 499-d(5) of the Judiciary Law grants rule-making authority to the Commission on Prosecutorial Conduct to carry out the provisions and purposes in sections 499-a through 499-j of the Judiciary Law.

2. LEGISLATIVE OBJECTIVES:

The objectives of these proposed rules are to establish a uniform procedure for the review and investigation of complaints of prosecutorial conduct, to provide prosecutors with notice of their rights in this process, and to be transparent with the public about the Commission’s procedures.

3. NEEDS AND BENEFITS:

The Commission on Prosecutorial Conduct was established pursuant to section 499-a of the Judiciary Law to review and investigate the conduct of prosecutors. The commission shall examine whether a prosecutor or prosecutors has committed conduct in the course of their official duties or under color of State law potentially violative of statutes, the legal rights of private persons, whether statutory, constitutional or otherwise; case law; or court rules, including, but not limited to the New York Rules of Professional Conduct, 22 NYCRR 1200, or any subset thereof or success thereto, including but not limited to Rule 3.8 (Special Responsibilities of Prosecutors and Other Government Lawyers).

The proposed rules are consistent with the above statutory authority and are necessary to provide prosecutors with notice of the Commission on Prosecutorial Conduct’s procedures in reviewing and investigating complaints filed against them.

The benefits of these rules include strengthening oversight of New York’s prosecutors and holding them to the highest ethical standards in the exercise of their duties. The proposed rules will also provide fair notice to prosecutors and increase public confidence in the criminal justice system.

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 costs to private regulated parties.

(d) Cost to the regulatory agency: There are no additional costs to the Commission.

5. LOCAL GOVERNMENT MANDATES:

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

6. PAPERWORK:

The proposed rules do not impose any paperwork mandates.

7. DUPLICATION:

The Attorney Grievance Committees receive complaints about attorneys in the State of New York. Pursuant to section 499-f(8) of the Judiciary Law, the Commission on Prosecutorial Conduct submits its report to the

Attorney Grievance Committee of the appellate division where the prosecutor was admitted to practice. The Attorney Grievance Committee may accept or reject the recommended sanction, impose a different sanction, or impose no sanction. Therefore, the proposed rules do not conflict with the Attorney Grievance Committee’s authority to impose sanctions.

8. ALTERNATIVES:

Although the Commission on Prosecutorial Conduct is not required to promulgate rules, it was important to do so to ensure there are uniform rules on how complaints would be reviewed and investigated and to ensure prosecutors have adequate notice of their rights in this process. After reviewing the public comments, the Commission adopted several of the recommendations. For example, it was recommended that the Commission not investigate a prosecutor’s qualifications and fitness to perform. The Commission accepted this recommendation because a prosecutor’s qualifications and fitness to perform are generally within the discretion of the District Attorney. A second example of a recommendation accepted by the Commission was to post its findings, recommendations and record online instead of limiting these materials for inspection at the Commission’s office and the Appellate Division. This recommendation was accepted because it would foster transparency and generally make access to these materials easier. And a final example is the recommendation to permit extensions for motions practice. This recommendation was accepted because we want to be able to make accommodations when a prosecutor provides good cause.

9. FEDERAL STANDARDS:

Federal constitutional and case law provide rights and protections for citizens that implicate the role of the prosecutor. The New York Constitution and case law provides the same, if not greater, protections for its citizens. Pursuant to section 499-a of the Judiciary Law, the Commission must consider these rights, whether statutory, constitutional, or otherwise. Therefore, the proposed rules do not interfere and are compatible with federal standards.

10. COMPLIANCE SCHEDULE:

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

Revised Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act. The proposed rules do not impose an adverse economic impact on small business or local governments, and it does not impose reporting, record keeping, or other compliance requirements on small businesses or local governments.

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

This assessment summarizes the comments the Commission received on its proposed operating rules and procedures published on April 24, 2024. The full assessment can be found at the Commission’s website: <https://www.ny.gov/new-york-state-commission-prosecutorial-conduct>.

C1: Commentors stated that complaints shouldn’t require verification.

R1: The comment was accepted.

C2: Commentors requested that the commission accept anonymous complaints.

R2: Additional information will be provided in guidance documents.

C3: Commentors requested that the definition of “prosecutor” state that former prosecutors are included.

R3: No change necessary.

C4: Commentors requested that letters of dismissal and advisement be public.

R4: Letters of dismissal and advisement will be eliminated.

C5: Commentors requested the prosecutor be given the opportunity to be heard before issuing a letter of dismissal and advisement.

R5: See Response 4.

C6: Commentors requested that complainants be permitted to file motions for reconsideration.

R6: No change necessary.

C7: Commentor requested that notifications about dismissed complaints include whether there was an investigation and information about the commissioners who voted.

R7: No change necessary.

C8: Commentor requested no time limit for motions for reconsideration after disposition.

R8: The comment was accepted.

C9: Commentor requested that the commission obtain a court order authorizing disclosure of materials a prosecutor needs to mount a defense but are confidential by statute.

R9: The rules are amended to include "Either party may request that the commission seeks a court order to access materials that are prohibited by statute from disclosure."

C10: Commentor requested that a favorable inference be drawn when a prosecutor shows that the unavailability of material has prejudiced their defense.

R10: The rules state that the commission will consider all relevant information, which includes this information.

C11: Commentor requested that a prosecutor shouldn't be obligated to produce records that are subject to statutory protections.

R11: No change necessary.

C12: Commentor requested that the commission "limit the scope" of investigations when they involve privileged information.

R12: No change necessary.

C13: Commentor stated that the proposed rules don't address pending criminal matters.

R13: Ongoing criminal investigations are addressed in the statute.

C14: Commentor suggested a definition for "pending" criminal matters.

R14: No change necessary.

C15: Commentor requested that the commission only investigate matters that aren't pending.

R15: See response 13.

C16: Commentor requested that investigation of a prosecutor be deferred until completion of any underlying criminal investigation or prosecution.

R16: See Response 13.

C17: Commentor requested that prosecuting agencies be allowed to object to disclosure of and withhold information related to ongoing criminal investigations and review subpoenas in advance.

R17: See Response 13.

C18: Commentor requested that the commission provide mechanisms ensuring that the commission will "refrain from burdening active criminal investigations," including specifying that the commission will notify prosecuting agencies, specifying "what would constitute a sufficient affirmation," and allowing extensions of the one-year period.

R18: A rule will be added stating: "The prosecuting agency may inform the commission by affirmation, with specificity and particularity in writing to the administrator, of its position that the commission's investigations will substantially interfere with the agency's own criminal investigation." The prosecuting agency will be notified if additional information is needed.

C19: Commentor requested that the State pay attorney fees.

R19: No change necessary.

C20: Commentor requested removing the definition of "retirement."

R20: The comment was accepted.

C21: Commentators requested that "complainant" be defined.

R21: The comment was accepted.

C22: Commentor requested "lacks merit on its face" be defined.

R22: No change necessary.

C23: Commentor requested complaints be served upon the prosecutor and their office, and complaints not served in this manner be dismissed.

R23: No change necessary.

C24: Commentors requested the commission not investigate a prosecutor's "qualifications" and "fitness to perform."

R24: The comment was accepted.

C25: Commentor requested limiting investigating decisions related to policy and prosecutorial discretion, and recommended adopting the definition in County Law Section 700.

R25: No change necessary.

C26: Commentor stated that a complaint required a minimum showing before authorizing an investigation.

R26: No change necessary.

C27: Commentor requested guidance on when an administrator's complaint will be authorized and notification of such authorization.

R27: No change necessary.

C28: Commentor requested the rule for "initial review and inquiry" and authorizing investigations be amended.

R28: No change necessary.

C29: Commentor stated that the word "may" in 10400.2(c) gives commission staff discretion as to whether an initial review is necessary and whether to provide a recommendation; however, 10400.2(d) states the commission will decide whether to authorize an investigation upon receipt of a recommendation.

R29: The word "shall" will be added to 10400.2(c).

C30: Commentor stated that "lacks merit" is used instead of "lacks merit on its face".

R30: No change necessary.

C31: Commentor stated the administrator shouldn't be the "gatekeeper" and that all commissioners should vote on whether to investigate a complaint.

R31: Only commissioners can authorize an investigation.

C32: Commentator requested that prosecutors be permitted to respond to the recommendation at the initial review stage and that a deadline be imposed to decide whether to authorize an investigation.

R32: No change necessary.

C33: Commentor requested that the commission establish a standard for dismissing a complaint before and after an investigation.

R33: No change necessary.

C34: Commentors requested the rules include how the commission will discover potential misconduct.

R34: Information will be available in guidance documents.

C35: Commentors requested that an administrator's complaint and formal complaint be authorized in specific instances (e.g. judicial finding of improper conduct).

R35: No change necessary.

C36: Commentor requested that the commission create a process to investigate an office if there appears to be a pattern of misconduct.

R36: No change necessary.

C37: Commentor requested a prosecutor be notified when a complaint is filed and dismissed.

R37: No change necessary.

C38: Commentor requested the definition of "investigation" be amended.

R38: No change necessary.

C39: Commentor requested that after an investigation is authorized that the prosecutor respond within 20 days.

R39: No change necessary.

C40: Commentors requested that the District Attorney's office be served.

R40: No change necessary.

C41: Commentor requested that the relevant prosecuting agency be provided with "all documents relevant to the investigation" and permitted to intervene or seek deferral.

R41: The prosecutor may share the discovery.

C42: Commentor requested the complainant provide factual allegations, identify the rule/standard that was violated, and the injury and if these specifics aren't provided then the complaint should be dismissed.

R42: No change necessary.

C43: Commentors requested all statements be transcribed and given under oath.

R43: No change necessary.

C44: Commentors requested the commission recommend discipline if a prosecutor fails to appear and the failure be considered an admission.

R44: The rules will be amended to include that the failure to appear shall be deemed an admission unless the prosecutor provides good cause.

C45: Commentor requested that the commission adopt standards for sanctions.

R45: No change necessary.

C46: Commentors requested that the commission recommend discipline if a prosecutor fails to answer a formal complaint.

R46: The commission will follow its process for hearing evidence when deciding whether to recommend discipline.

C47: Commentor requested that 10400.6(c) be amended to expand the responses from prosecutors to include: situations where the prosecutor has a barrier to obtaining information that could be used to defend themselves and permit the prosecutor to assert the fifth amendment without an adverse inference being drawn.

R47: A respondent prosecutor may provide any information relevant to the alleged conduct, which would include notifying the commission about barriers to obtaining information. There is case law on asserting the fifth amendment.

C48: Commentor requested that the penalty for not responding to the complaint within 20 days be removed.

R48: The rules will be amended to permit the prosecutor to seek an extension for good cause.

C49: Commentors requested that prosecutors be allowed to seek extensions of time for filing motions.

R49: Some rules will be amended to allow for extensions for good cause.

C50: Commentor requested that the time limit to file a motion to dismiss be removed.

R50: The comment was accepted.

C51: Commentors requested open file discovery "well in advance of the hearing," and one commentor requested the formal complaint be dismissed if the CPC does not provide open file discovery.

R51: The CPC is required to turn over all relevant materials and there is a remedy if it doesn't comply. An amendment will be made to permit either party to seek an adjournment if additional time is needed to review discovery.

C52: Commentor requested that subpoena power be limited to materials relevant to the complaint.

R52: No change necessary.

C53: Commentor stated that if a summary determination is granted there shouldn't be argument over sanctions.

R53: The last sentence will be amended to: "If a motion for summary determination is filed, the commission shall provide reasonable opportunity for the submission of briefs and oral argument."

C54: Commentor stated that the commission shouldn't have the advice of the referee.

R54: No change necessary.

C55: Commentor requested that hearings be public and the minutes be made available to the public.

R55: The statute and rules permit the prosecutor to request a public hearing, and the prosecutor may share the minutes with the public.

C56: Commentors requested that the burden of proof be "clear and convincing evidence."

R56: No change necessary.

C57: Commentor requested an adjournment if the prosecutor does not appear for the hearing.

R57: No change necessary.

C58: Commentors requested that the complainant be notified of a hearing.

R58: The commission's proceedings are confidential.

C59: Commentors requested that the complainant be required to testify under oath at the hearing.

R59: The complainant will not always have relevant information; and the prosecutor may seek to subpoena the complainant.

C60: Commentors requested that the commission's findings and recommendations and annual report be available online. A request was also made that recommendations be made to District Attorneys.

R60: The commission's findings and recommendations and annual report will be available online. Additional information about recommendations will be available in guidance documents.

C61: Commentor requested that the complainant receive the findings of fact, recommendations, and record.

R61: No change necessary.

C62: Commentor asked why the commission doesn't have the same confidentiality rules as the Commission on Judicial Conduct.

R62: No change necessary.

C63: Commentors provided suggestions for what should be included in the annual report.

R63: Additional information will be provided in guidance documents.

C64: Commentors requested that the rules state that the provisions about confidentiality do not apply to those outside the agency.

R64: Case law exists on this issue and it does not need to be addressed by the commission.

C65: Commentor requested that the findings of fact, recommendations, and the record be transmitted to the department where the attorney is currently working instead of the department where they were admitted.

R65: The requirement to send the materials to the department where the prosecutor was admitted is statutory.

C66: Commentor requested a rule about how three-member panels will be configured.

R66: Additional information will be provided in guidance documents.

C67: Commentor requested penalties be imposed for "false and meritless complaints" and that at minimum all complaints "must be supported by sworn allegations of fact and that any false statement by the complainant may result in his or her prosecution for perjury."

R67: No change necessary.

C68: Commentor requested that the commission's ability to grant immunity be limited and that prosecuting agencies be permitted to block any grant of immunity.

R68: No change necessary.

C69: Commentor requested that the commission's ability to disclose confidential information be limited.

R69: No change necessary.

C70: Commentor stated that prosecutors are entitled to "full due process."

R70: No change necessary.

C71: A commentor requested that "information of ethics violations by any member will be investigated to determine credibility."

R71: Concerns about ethics violations by commissioners or staff should be reported to Commission on Ethics and Lobbying in Government.

C72: Commentor stated "The rules proposed herein I believe conflicts or may have conflict as it relates to abiding to the full letter of the constitution and the fundamental rights of the people."

R72: No change necessary.

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition to Submeter Electricity

I.D. No. PSC-40-24-00002-P

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

Proposed Action: The Commission is considering the petition of GWS East 170 LLC to submeter electricity at 806 East 170th Street, Bronx, New York.

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

Subject: Petition to submeter electricity.

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

Substance of proposed rule: The Commission is considering the petition filed by GWS East 170 LLC (Owner) on July 8, 2024, seeking authority to submeter electricity to a new rental building with affordable units at 806 East 170th Street, Bronx, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, GWS East 170 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 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-0390SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Proposed Earnings Adjustment Mechanisms for Calendar Year 2024

I.D. No. PSC-40-24-00003-P

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

Proposed Action: The Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid to establish updated Earnings Adjustment Mechanism (EAM) metrics, targets, and financial awards for Calendar Year 2024.

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

Subject: Proposed Earnings Adjustment Mechanisms for Calendar Year 2024.

Purpose: To determine if certain EAMs from the prior rate plan should continue, with updated targets and financial awards.

Substance of proposed rule: The Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid, or Company), on March 26, 2024, to establish four Earnings Adjustment Mechanism (EAM) metrics, with associated target levels and financial awards, for Calendar Year 2024.

Under the terms of the Company's most recent Joint Proposal, approved by the Commission in its January 20, 2022 Order Adopting Terms of Joint Proposal, Establishing Rate Plans and Reporting Requirements in Case 20-E-0380, et al., National Grid may annually file a petition proposing EAMs for each year following Rate Year 3 (July 1, 2023 – June 30, 2024), until it files to establish new base delivery rates.

In its petition, National Grid proposes to continue four EAM metrics through Calendar Year 2024: (1) Electric Peak Reduction, (2) Locational System Relief Value Load Factor, (3) Distributed Energy Resource Utilization, and (4) Transportation Electrification. National Grid proposes to continue these EAM metrics as established in the Joint Proposal, with updated target levels and financial incentives during Calendar Year 2024. National Grid states that it is not seeking continuation of several other EAM metrics which were included in the Joint Proposal, specifically: (1) Electric Energy Efficiency Share the Savings; (2) Gas Electric Energy Efficiency Share the Savings; (3) Electric Low- and Moderate-Income Customer Energy Efficiency Savings; (4) Gas Low- and Moderate-Income Customer Energy Efficiency Savings; (5) Building Electrification; (6) Electric Vehicle Charging Infrastructure Make Ready Program Share the Savings; and (7) Gas Peak Reduction.

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.

(20-E-0380SP7)

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

To Incorporate Upgraded Voltages and Modify Language Related to Correcting Power Factor Issues and Reconnection Charges

I.D. No. PSC-40-24-00004-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 proposed tariff amendments filed by the Penn Yan Municipal Utilities Board to P.S.C. No. 1 — Electricity, to incorporate upgraded voltages and modify language related to correcting power factor issues and reconnection charges.

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

Subject: To incorporate upgraded voltages and modify language related to correcting power factor issues and reconnection charges.

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

Substance of proposed rule: The Commission is considering a proposal filed by the Penn Yan Municipal Utilities Board (Penn Yan, or the Board) filed on August 21, 2024, to amend its electric tariff schedule, P.S.C. No. 1 – Electricity.

The proposed tariff amendments would incorporate revisions to the voltages that will be available as Penn Yan undergoes a voltage conversion project, modify the process for enforcing correction action required for customers that are not maintaining a power factor between 90 percent lagging and 90 percent leading, and clarify the language establishing reconnection charge amounts. The voltage conversion project involves upgrading the voltage from 4.16 kilovolts (kV) to 12.47 kV to accommodate the currently overloaded system and prepare for anticipated increased demand. The Board states that this upgrade would help avoid potential capacity restraints for green initiatives while ensuring reliable power supply. The Board's proposed tariff amendments have an effective date of December 1, 2024.

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

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

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

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

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

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

(24-E-0487SP1)

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

Notice of Intent to Submeter Electricity

I.D. No. PSC-40-24-00005-P

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

Proposed Action: The Commission is considering the notice of intent of Hamilton Green I Partners LLC to submeter electricity at 25 Cottage Place, White Plains, 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 Public Service Commission (Commission) is considering the notice of intent filed by Hamilton Green I Partners LLC (Owner) on April 30, 2024, seeking authority to submeter electricity at a new rental building with fair-market and income-based units at 25 Cottage Place, White Plains, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice, Hamilton Green I Partners 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-0258SP1)

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

Notice of Intent to Submeter Electricity

I.D. No. PSC-40-24-00006-P

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

Proposed Action: The Commission is considering the notice of intent of Hamilton Green I Partners LLC to submeter electricity at 5 Cottage Place, White Plains, 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 Hamilton Green I Partners LLC (Owner) on April 30, 2024, seeking authority to submeter electricity at a new rental building offering income-eligible and market-rate units situated at 5 Cottage Place, White Plains, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice, Hamilton Green I Partners 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 electricity to residential tenants is allowed as 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-0256SP1)

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

Notice of Intent to Submeter Electricity and Waiver Request

I.D. No. PSC-40-24-00007-P

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

Proposed Action: The Commission is considering the notice of intent of

Third at Third LLC to submeter electricity at 125 Third Street, 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 Public Service Commission (Commission) is considering the notice of intent filed by Third at Third LLC (Owner) on July 29, 2024, seeking authority to submeter electricity at a new rental building located at 125 Third Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). Additionally, the Owner requested 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, Third at Third LLC 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 buildings are 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. Given these requirements, the Owner states that 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-0441SP1)

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

Notice of Intent to Submeter Electricity

I.D. No. PSC-40-24-00008-P

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

Proposed Action: The Commission is considering the notice of intent of 1 Java Owner LLC to submeter electricity at 18 India Street, Brooklyn, New York.

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

Subject: Notice of intent to submeter electricity.

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

Substance of proposed rule: The Commission is considering the notice of intent submitted by 1 Java Owner LLC (Owner) on May 13, 2024, seeking authority to submeter electricity at a new rental building with income-eligible and market-rate units located at 18 India Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice of intent, 1 Java Owner 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 electricity to residential tenants is allowed as 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-0292SP1)

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

Petition to Submeter Electricity

I.D. No. PSC-40-24-00009-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 petition of 2700 Church Ave Realty to submeter electricity at 2718 Church Avenue, Brooklyn, New York.

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

Subject: Petition to submeter electricity.

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

Substance of proposed rule: The Commission is considering the petition filed by 2700 Church Ave Realty (Owner) on August 8, 2024, seeking authority to submeter electricity at a new rental building with fair-market and rent-stabilized units at 2718 Church Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, 2700 Church Ave Realty 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 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, Sec-

retary, 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-0464SP1)

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

Petition to Enter into a Long Term Loan Agreement and Implement a Surcharge for Cost Recovery

I.D. No. PSC-40-24-00010-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 a petition filed by Heritage Estates Homeowners Association, LTD for authority to finance the cost of improvements and to implement a surcharge to recover the debt service.

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

Subject: Petition to enter into a long term loan agreement and implement a surcharge for cost recovery.

Purpose: To determine if the issuance of long term debt and a surcharge for recovery of the debt service is in the public interest.

Substance of proposed rule: The Commission is considering a petition filed by Heritage Estates Homeowners Association, LTD. (Heritage Estates) on August 13, 2024 (Petition) requesting authorization to finance major water treatment plant improvements and to implement a surcharge to be used exclusively to satisfy loan payments each month.

Heritage Estates supplies unmetered water to 30 households in the Heritage Estates subdivision, located on Route 44-55, the Town of Lloyd in Ulster County. The Petition states that Heritage Estates intends to replace its aging water treatment plant, which will consist of a new treatment building, installing a new 7,500-gallon water storage tank, a new booster pump, and upgraded electrical systems and piping. Many of these components date back to the system's original construction in 1974 and have not been upgraded or improved since. These improvements are forecasted to cost approximately \$130,000. The tentative terms of the loan to fund such improvements are a maximum financed amount of \$150,000 over 20 years. Heritage Estates proposes a surcharge of \$140 per customer on a quarterly basis to be used exclusively to satisfy the loan payments.

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-0468SP1)

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
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).
ENV-40-24-00001-P	Revisions to 6 NYCRR Parts 601 and 602 that Implement ECL Article 15, Title 15 (Water Supply)	Virtual—December 5, 2024, 11:00 a.m.
Long Island Power Authority		
LPA-39-24-00009-P	Back Billing	H. Lee Dennison Bldg., Hauppauge, NY—November 25, 2024, 10:00 a.m. Long Island Power Authority, Uniondale, NY—November 25, 2024, 6:00 p.m.
LPA-39-24-000010-P	Standby and Buyback Service Rates	H. Lee Dennison Bldg., Hauppauge, NY—November 25, 2024, 10:00 a.m. Long Island Power Authority, Uniondale, NY—November 25, 2024, 6:00 p.m.
LPA-39-24-000011-P	Small Generator Interconnections Procedures	H. Lee Dennison Bldg., Hauppauge, NY—November 25, 2024, 10:00 a.m. Long Island Power Authority, Uniondale, NY—November 25, 2024, 6:00 p.m.
LPA-39-24-000012-P	Annual Budget	H. Lee Dennison Bldg., Hauppauge, NY—November 25, 2024, 10:00 a.m. Long Island Power Authority, Uniondale, NY—November 25, 2024, 6:00 p.m.
LPA-39-24-000013-P	Sunsetting Temporary Emergency Tariff Put in Place During the Covid-19 Pandemic	H. Lee Dennison Bldg., Hauppauge, NY—November 25, 2024, 10:00 a.m. Long Island Power Authority, Uniondale, NY—November 25, 2024, 6:00 p.m.
LPA-39-24-000014-P	Customer Benefit Contribution Charge	H. Lee Dennison Bldg., Hauppauge, NY—

November 25, 2024, 10:00 a.m.

Long Island Power Authority, Uniondale,
NY—November 25, 2024, 6:00 p.m.

Public Service Commission

PSC-36-24-00003-P Proposed Major Rate Increase in National
Grid’s Annual Electric Revenues

Department of Public Service, 19th Fl. Board
Rm., Three Empire State Plaza, Albany, NY—
November 4, 2024, 10:30 a.m. and continuing
daily as needed (Evidentiary Hearing)*

*On occasion, there are requests to reschedule
or postpone hearing dates. If such a request is
granted, notification of any subsequent
scheduling changes will be available at the
DPS website (www.dps.ny.gov) under Case
24-E-0322.

PSC-36-24-00004-P Proposed Major Rate Increase in National
Grid’s Annual Gas Revenues

Department of Public Service, 19th Fl. Board
Rm., Three Empire State Plaza, Albany, NY—
November 4, 2024, 10:30 a.m. and continuing
daily as needed (Evidentiary Hearing)*

*On occasion, there are requests to reschedule
or postpone hearing dates. If such a request is
granted, notification of any subsequent
scheduling changes will be available at the
DPS website (www.dps.ny.gov) under Case
24-G-0323.

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
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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-ERP	..... 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
OCM-35-24-00006-P	..... 08/28/25	The packaging, labeling, marketing and advertising of cannabis	The proposed rules establish parameters for licensees and registrants around packaging, labeling, marketing, and advertising of cannabis products

CIVIL SERVICE, DEPARTMENT OF

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CRIMINAL JUSTICE SERVICES, DIVISION OF			
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-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-26-24-00011-P	06/26/25	Requires a doctoral degree in physical therapy for licensure	To Conform the Commissioner's regulations to Chpater 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 Chpater 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.
EDU-39-24-00006-EP	09/25/25	Development and implementation of regionalization plans.	See attached.
EDU-39-24-00007-P	09/25/25	Establishing the Administrator Certificate and Extension to Work as a Superintendent	Establish new Administrator certificate that enables an individual to hold building level/ district level administrator positions
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-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-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-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.
ENV-40-24-00001-P	12/05/25	Revisions to 6 NYCRR Parts 601 and 602 that implement ECL article 15, title 15 (Water Supply).	To add definitions; clarify requirements; establish and clarify permit exemptions; conform regulations to statutes
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value
DFS-08-24-00001-P	02/20/25	Network Adequacy and Access Standards	To establish network adequacy and access standards and other protections to improve access to behavioral health services
DFS-13-24-00003-P	03/27/25	Definitions, licensing of PBMs, contracting with network pharmacies, acquisition of PBMs, consumer protections, and audits	Establish definitions, licensing, contracting with pharmacies, acquisition of PBMs, consumer protections, and audit regulations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
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-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-20-24-00008-P	05/15/25	In-Person Medical Evaluation Requirements and Exceptions for Controlled Substance Prescribing	To clarify patient evaluation requirements with regards to the issuance of a controlled substance prescription
HLT-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.
HLT-39-24-00008-P	09/25/25	Onsite Wastewater Treatment System Waiver Requirements	Clarify availability of waivers from statewide requirements regarding installation & operation of wastewater treatment systems.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
JUDICIAL CONDUCT, STATE COMMISSION ON			
JDC-39-24-00003-P	09/25/25	Summary determination	Streamline the process by which the Commission considers motions for summary determination.
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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
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.
LPA-39-24-00009-P	..... exempt	Back billing	To implement changes consistent with statutory amendments to HEFPA and to clarify definitions.
LPA-39-24-00010-P	..... exempt	Standby and Buyback Service Rates	LIPA Staff propose to modify the Tariff to better integrate DERs to the grid with updated and improved Standby and Buyback rates
LPA-39-24-00011-P	..... exempt	Small Generator Interconnection Procedures	To modify the SGIP to include the Statewide SIR changes adopted by the Commission and to modify the definition of Site Control.
LPA-39-24-00012-P	..... exempt	Annual Budget	LIPA Staff proposes to implement rate adjustments as determined through the budget process.
LPA-39-24-00013-P	..... exempt	Sunsetting temporary emergency Tariff put in place during the COVID-19 pandemic.	Sunsetting temporary emergency Tariff put in place during the COVID-19 pandemic.
LPA-39-24-00014-P	..... exempt	Customer Benefit Contribution Charge	To clarify the application of the CBC Charge to DG systems.
MENTAL HEALTH, OFFICE OF			
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
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
OMH-40-24-00011-P	..... 10/02/25	Relating to the personalized recovery oriented services (PROS).	To align such program with the State Plan Amendment.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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
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.
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-RP	..... 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify, in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs

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

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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspirity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings	To reduce damage to underground utility facilities by requiring certain training and approving training curricula
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals
*PSC-04-19-00011-P	..... exempt	Update of revenue targets	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements	To insure the provision of safe and adequate energy service at just and reasonable rates
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations	To consider the terms and conditions applicable to gas service
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation	To determine if the proposed merger is in the public interest
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators
*PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by Central Hudson
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To provide cost recovery for new DLM programs and prevent double compensation to participating customers
*PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity
*PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies
*PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program	To address the economic impacts of the COVID-19 pandemic
*PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent	To encourage consumer protections and safe and adequate service
*PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water’s service	To determine if approving the DPS Staff’s recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation’s Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its “Energy Savings Program” to mass market customers
*PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources
*PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers
*PSC-04-21-00016-P	..... exempt	Request for a waiver	To consider whether good cause exists to support a waiver of the Commission’s Test Period Policy Statement
*PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding	To ensure the appropriate use of funding reserved for gas safety programs
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00006-P	..... exempt	Community Choice Aggregation renewable products	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products
*PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-39-21-00007-P	..... exempt	The proposed alternative method of account identification	To facilitate secure customer data exchanges between the utility or provider and energy service entities
*PSC-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-22-00001-P	..... exempt	Green gas products	To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products
*PSC-13-22-00011-P	..... exempt	Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020	To consider a rehearing petition
*PSC-14-22-00008-P	..... exempt	An opt-out community distributed generation program	To establish the program rules for offering community distributed generation on and opt-out basis in New York State
*PSC-18-22-00002-P	..... exempt	NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance	To determine if NYSEG and RG&E's petition for waiver is in the public interest
*PSC-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
*PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
*PSC-20-22-00011-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation
*PSC-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
*PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
*PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
*PSC-24-22-00007-P	..... exempt	St. Lawrence Gas' petition for a waiver of its 2021 service quality performance	To determine if St. Lawrence Gas' petition for waiver is in the public interest
*PSC-26-22-00008-P	..... exempt	Compensation under the Value of Distributed Energy Resources tariff	To consider compensation mechanisms for legacy baseline hydroelectric and other renewable energy resources
*PSC-30-22-00009-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project	To ensure appropriate regulation of an electric corporation
*PSC-32-22-00022-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation
*PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York	To consider compensation for bioenergy generation
*PSC-33-22-00008-P	..... exempt	Gas moratorium consumer protections	To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service
*PSC-33-22-00009-P	..... exempt	Use of electric metering equipment	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-22-00005-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need	Consideration of whether the proposed transfer is in the public interest
*PSC-38-22-00004-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project	To ensure appropriate regulation of an electric corporation
*PSC-42-22-00010-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00011-P	..... exempt	Gas system planning	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives
*PSC-42-22-00012-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00013-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00014-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00015-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00016-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00017-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00019-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-44-22-00003-P	..... exempt	Proposed draft tariff amendments	To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs
*PSC-46-22-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-48-22-00003-P	..... exempt	Gas moratorium customer protections	To consider protections to minimize customer hardships in the unlikely event of a future gas moratorium
*PSC-04-23-00008-P	..... exempt	Updates to guidance for electric utility Distributed System Implementation Plans (DSIPs)	Development of updated guidance and directives for utility DSIPs for improving utility planning and operations functions
*PSC-04-23-00009-P	..... exempt	Gas metering equipment	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage
*PSC-05-23-00001-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00002-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00009-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00012-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00014-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00015-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-13-23-00022-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility	Consideration of a lightened regulatory regime for the owner of an approximately 150 MW energy storage facility
*PSC-15-23-00002-P	..... exempt	Community Choice Aggregation	To determine if Mid-Hudson Energy Transition Inc. should operate as a Community Choice Aggregation Administrator
*PSC-17-23-00002-P	..... exempt	Tariff filing	To consider whether the proposed tariff revisions are in the public interest
*PSC-17-23-00003-P	..... exempt	Issuance of securities and other forms of indebtedness	To determine if the issuance of funding for capital needs and a surcharge mechanism is in the public interest
*PSC-18-23-00001-P	..... exempt	A request for waiver of negative revenue adjustments	Whether it is in the public interest to waive the negative revenue adjustments for NYSEG and RGE
*PSC-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-25-23-00008-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-29-23-00007-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
*PSC-31-23-00001-P	..... exempt	A petition for a special permit exemption from odorization requirements	To determine if the granting of the special permit is in the public interest
*PSC-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	..... exempt	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	..... exempt	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	..... exempt	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	..... exempt	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	..... exempt	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	..... exempt	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	..... exempt	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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-07-24-00025-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00026-P	..... exempt	Community Distributed Generation	To consider CDG billing and crediting performance metrics and associated negative revenue adjustments
PSC-07-24-00027-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00028-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00029-P	..... exempt	Energy efficiency and building electrification programs	To implement potential changes to building electrification program
PSC-07-24-00030-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00032-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-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-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-20-24-00003-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-20-24-00005-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-20-24-00007-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-21-24-00005-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00006-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00007-P	..... exempt	Electric metering equipment	To ensure that consumer bills are based on accurate measurements of electric usage
PSC-21-24-00008-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00009-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00010-P	..... exempt	Electric metering equipment	To ensure that consumer bills are based on accurate measurements of electric usage
PSC-21-24-00011-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-21-24-00012-P	..... exempt	Minor water rate filing to increase annual revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-21-24-00013-P	..... exempt	Notice of intent to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-21-24-00014-P	..... exempt	Climate Change Resilience Plan and climate resiliency cost recovery surcharge	To make infrastructure resilient to climate change and to determine an appropriate cost recovery mechanism
PSC-22-24-00005-P	..... exempt	Minor electric rate filing to increase annual electric revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-22-24-00006-P	..... exempt	Petition for transfer of assets and dissolution of water works corporation	To determine if the transfer of Saratoga's assets to the Town and Saratoga's dissolution is in the public interest
PSC-22-24-00008-P	..... exempt	Petition for rehearing, reconsideration, and clarification of provisions in the DLM Order related to performance payments	To clarify the directives of the DLM Order as to National Grid's obligation to make performance payments to certain customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-22-24-00009-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generation facility	To determine whether a lightened regulatory regime is consistent with the PSL
PSC-23-24-00002-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units	To determine whether to authorize the waiver request while ensuring consumer and energy efficiency protections are in place
PSC-23-24-00003-P	..... exempt	Compensation under the Value of Distributed Energy Resources tariff	To consider eligibility for a combined heat and power generation facility to receive Value Stack compensation
PSC-24-24-00022-P	..... exempt	Minor electric rate filing to increase annual electric revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-25-24-00005-P	..... exempt	The calculation of NYSEG's Percent of Estimated Bills of the Customer Service Performance Indicator metric for January 2024	Whether it is in the public interest to grant certain exemptions in the January 2024 Percent of Estimated Bills for NYSEG
PSC-25-24-00006-P	..... exempt	Transfer of ownership of cable television facilities and eight municipal cable television franchises	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
PSC-25-24-00007-P	..... exempt	Long-term gas system planning	To consider and review long-term gas system planning
PSC-26-24-00002-P	..... exempt	Energy Service Company Home Warranty Products	To consider proposed consumer protections on Energy Service Company Home Warranty Products
PSC-26-24-00003-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00004-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00005-P	..... exempt	Stock transactions of regulated entities	To consider stock transactions within statutory parameters for individual transactions
PSC-26-24-00006-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-26-24-00007-P	..... exempt	Petition for determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00008-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00009-P	..... exempt	LPP replacement targets	To update LPP replacement mileage to reflect increasing cost while working within Corning's authorized budget
PSC-26-24-00010-P	..... exempt	BTU content levels	To reflect the BTU range during the non-heating months due to gas supplied by Corning's new renewable natural gas projects
PSC-27-24-00002-P	..... 07/03/25	Technical amendments and additions to state regulations.	To ensure the safe and adequate operation of pipelines in New York State.

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
PSC-35-24-00002-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-35-24-00003-P	..... exempt	Extension of the deadline to enter into a lease agreement and to change the disbursement amount.	To determine whether to extend the deadline to enter into a lease and to change the disbursement amount.
PSC-35-24-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-24-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-36-24-00001-EP	09/04/25	Proposed settlement agreement on reinstating a low-income broadband program.	To ensure the continuation of a low-income broadband program in Charter Communication, Inc's service territory.
PSC-36-24-00002-P	exempt	Petition to forgive arrears balances greater than 120 days and recover costs via a surcharge.	To determine if forgiveness of customer arrears greater than 120 days and recovery via a surcharge is in the public interest.
PSC-36-24-00003-P	exempt	Proposed major rate increase in National Grid's annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-36-24-00004-P	exempt	Proposed major rate increase in National Grid's annual gas revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-36-24-00005-P	exempt	Clean Energy Standard administration.	To authorize the funding necessary for continued implementation of the Clean Energy Standard in 2025.
PSC-36-24-00006-P	exempt	Proposal to modify the time limit established in the Make Ready Order.	To consider an extended deadline so that NYPA may continue to use its unspent budget and build electric vehicle chargers.
PSC-36-24-00007-P	exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-36-24-00008-P	exempt	Waiver request of 16 NYCRR § 86.3(b)(2); 86.4(b); 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-37-24-00001-P	exempt	Proposed transfer of water company assets.	To determine if transfer of the Company's assets is in the public interest.
PSC-37-24-00003-P	exempt	Increased funding for energy efficiency programs.	To determine whether increased funding for energy efficiency programs is in the public interest.
PSC-38-24-00002-P	exempt	Financing for a merchant owner and operator of a wind-powered generating facility.	To determine whether the requested financing is consistent with the Public Service Law.
PSC-38-24-00003-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-38-24-00004-P	exempt	Residential and retail energy storage programs.	To consider the outline of program goals and implementation strategies for the residential and retail energy storage programs.
PSC-38-24-00005-P	exempt	To review a pilot proposal and associated budgets.	To assess whether the proposed pilot program impact is in the public interest.
PSC-39-24-00001-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-24-00002-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-24-00004-P	exempt	Issuance of securities and other forms of indebtedness secured by the Companies' recovery property.	To provide reimbursement of appropriately incurred storm recovery costs and associated financing costs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-40-24-00002-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-24-00003-P	..... exempt	Proposed Earnings Adjustment Mechanisms for Calendar Year 2024.	To determine if certain EAMs from the prior rate plan should continue, with updated targets and financial awards.
PSC-40-24-00004-P	..... exempt	To incorporate upgraded voltages and modify language related to correcting power factor issues and reconnection charges.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-24-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-24-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-24-00007-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-40-24-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-24-00009-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-24-00010-P	..... exempt	Petition to enter into a long term loan agreement and implement a surcharge for cost recovery.	To determine if the issuance of long term debt and a surcharge for recovery of the debt service is in the public interest.
STATE UNIVERSITY OF NEW YORK			
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-35-24-00001-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 October 1, 2024 through December 31, 2024.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-38-24-00001-P	..... 09/18/25	Technical amendments to State regulations updating the names of State agencies and replacing obsolete and stigmatizing terms.	To update State regulations by replacing obsolete and stigmatizing terms.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-39-24-00005-EP	..... 09/25/25	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/01/2024.
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
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

RENOVATE BUILDING

State Office Building Campus
Albany, Albany County

Sealed bids for Project Nos. 45382C, 45382-B, 45382-H, 45382-P and 45382-E, comprising separate contracts for Construction Work, Hazardous Materials Work, HVAC Work, Plumbing Work, and Electrical Work, Renovate Building 8, 8th & 9th Floor, State Office Building Campus, 1220 Washington Avenue, Albany (Albany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, October 16, 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 \$582,000 for C, \$125,400 for B, \$625,300 for H, \$96,500 for P, and \$278,800 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 \$20,000,000 and \$30,000,000 for C, between \$5,000,000 and \$6,000,000 for B between \$20,000,000 and \$30,000,000 for H, between \$3,000,000 and \$4,000,000 for P, and between \$10,000,000 and \$15,000,000 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. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <https://ogs.ny.gov/ACPL/>.

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

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

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

The substantial completion date for this project is 1,148 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:30 a.m. on October 3, 2024 at State Office Campus - Building 8, Loading Dock/Security Desk, 1220 Washington Ave., Albany NY 12226. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Kevin Jones (518-457-4369) 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) for Construction Work, HVAC Work, Plumbing Work and Electrical Work and an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises (“MBE”) participation and 5% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs) for Hazardous Materials Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 3 of the Veteran’s Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs’ participation under this contract as follows: 6% for the C trade contractor, 3% for the E trade contractor, 3% for the H trade contractor, 3% for the P trade contractor, and 0% for the B 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

**REPLACE
WINDOWS**

Bedford Hills Correctional Facility
Bedford Hills, Westchester County

Sealed bids for Project No. 45880-C, comprising a contract for Construction Work, Replace Windows, Building 118, Bedford Hills Correctional Facility, 247 Harris Road, Bedford Hills (Westchester County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, October 9, 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 \$59,700 for C).

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

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

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten

percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 770 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on September 26, 2024 at the OGS Field Office, 247 Harris Road, Bedford Hills, NY 10507. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Matt Vondras (914-666-0889) a minimum of 72 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 72 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 0% for MWBE participation, 0% for Minority-Owned Business Enterprises ("MBE") participation and 0% 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: 0% for the C trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

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

By OGS - Design & Construction Group

PROVIDE

**ELECTRIC VEHICLE CHARGING STATIONS/
ELECTRICAL SERVICE INFRASTRUCTURE**

South Region

Poughkeepsie, Bronx, Kings, Nassau, New York, Orange,
Putnam, Queens, Richmond, Rockland, Suffolk, and
Westchester Counties

Sealed bids for Project No. 47623-E, comprising of a contract for Electrical Work, Provide Electric Vehicle Charging Stations & Electrical Service Infrastructure, South Region, 4 Burnett Boulevard, Poughkeepsie (Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, and Westchester Counties), 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 OGS Office of Resiliency and Sustainability, until 2:00 p.m. on Wednesday, October 16, 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 \$75,000 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract value of \$2,500,000.

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

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

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

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

The substantial completion date for this project is 1095 days after the Agreement is approved by the Comptroller.

Prospective bidders will need to register for and must attend at least one of the two mandatory Pre-Bid Virtual Meetings. The meetings will take place on 9:00 a.m. on September 24 or 2:00 p.m. on September 26. Refer to Document 002218 for the log-in and password information.

Phone the office of Brandy Americk (201-320-3782) a minimum of 24 hours in advance of the date to provide the names of those who will attend the mandatory pre-bid virtual meeting. Only contractors that schedule for the meeting at least 24 hours in advance will be allowed to participate in the mandatory pre-bid virtual meeting.

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 E trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

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

By OGS - Design & Construction Group

PROVIDE

**ELECTRIC VEHICLE CHARGING STATIONS/
ELECTRICAL SERVICE INFRASTRUCTURE**

Central Region, Empire State Plaza

Albany, Albany, Broome, Chenango, Columbia, Cortland,
Delaware, Dutchess, Greene, Madison, Montgomery, Oneida,
Onondaga, Oswego, Otsego, Rensselaer, Schenectady,
Schoharie, Sullivan and Ulster Counties

Sealed bids for Project No. 47682-E, comprising of a contract for Electrical Work, Provide Electric Vehicle Charging Stations & Electri-

cal Service Infrastructure - Central Region, Corning Tower, Empire State Plaza, Albany (Albany, Broome, Chenango, Columbia, Cortland, Delaware, Dutchess, Greene, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, Rensselaer, Schenectady, Schoharie, Sullivan, and Ulster), 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 OGS Office of Resiliency and Sustainability, until 2:00 p.m. on Wednesday, October 16, 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 \$75,000 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract value of \$2,500,000.

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

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

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

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

The substantial completion date for this project is 1095 days after the Agreement is approved by the Comptroller.

Prospective bidders will need to register for and must attend at least one of the two mandatory Pre-Bid Virtual Meetings. The meetings will take place on 9:00 a.m. on September 24 or 2:00 p.m. on September 26. Refer to Document 002218 for the log-in and password information.

Phone the office of Brandy Americk (201-320-3782) a minimum of 24 hours in advance of the date to provide the names of those who will attend the mandatory pre-bid virtual meeting. Only contractors that schedule for the meeting at least 24 hours in advance will be allowed to participate in the mandatory pre-bid virtual meeting.

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 E trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

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

By OGS - Design & Construction Group

PROVIDE

ELECTRIC VEHICLE CHARGING STATIONS/ ELECTRICAL SERVICE INFRASTRUCTURE

North Region, EV Infrastructure Service
Comstock, Clinton, Essex, Franklin, Fulton, Hamilton,
Herkimer, Jefferson, Lewis, Saratoga, St. Lawrence, Warren,
and Washington Counties

Sealed bids for Project No. 47683-E, comprising of a contract for Electrical Work, Provide Electric Vehicle Charging Stations & Electrical Service Infrastructure – North Region, EV Infrastructure Service – North Region, PO Box 218, 11607 State Route 22, Comstock (Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, Saratoga, St. Lawrence, Warren, and Washington Counties), 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 OGS Office of Resiliency and Sustainability, until 2:00 p.m. on Wednesday, October 16, 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 \$75,000 for E).

All successful bidders will be required to furnish a Performance

Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract value of \$2,500,000.

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

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

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

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

The substantial completion date for this project is 1095 days after the Agreement is approved by the Comptroller.

Prospective bidders will need to register for and must attend at least one of the two mandatory Pre-Bid Virtual Meetings. The meetings will take place on 9:00 a.m. on September 24 or 2:00 p.m. on September 26. Refer to Document 002218 for the log-in and password information.

Phone the office of Brandy Americk (201-320-3782) a minimum of 24 hours in advance of the date to provide the names of those who will attend the mandatory pre-bid virtual meeting. Only contractors that schedule for the meeting at least 24 hours in advance will be allowed to participate in the mandatory pre-bid virtual meeting.

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 E trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

By OGS - Design & Construction Group

PROVIDE

**ELECTRIC VEHICLE CHARGING STATIONS/
ELECTRICAL SERVICE INFRASTRUCTURE**

West Region, EV Infrastructure Service

Alden, Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming and Yates Counties

Sealed bids for Project No. 47684-E, comprising of a contract for Electrical Work, Provide Electric Vehicle Charging Stations & Electrical Service Infrastructure – West Region, EV Infrastructure Service – West Region, 2990 Wende Road, Alden (Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates Counties), 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 OGS Office of Resiliency and Sustainability, until 2:00 p.m. on Wednesday, October 16, 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 \$75,000 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract value of \$2,500,000.

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Designated staff are Kimberly Belden, Catherine Skaczkowski, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <https://ogs.ny.gov/ACPL/>

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

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

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Department of Environmental Conservation
625 Broadway
Albany, NY 12233-2560

FIRE DEPARTMENTS

RURAL Volunteer Fire Assistance (VFA) Grant program

Pursuant to the Agriculture Appropriations Act, Section 7(b)3 of P.L. 95-313 (Cooperative Forestry Assistance Act of 1978), the New York State Department of Environmental Conservation hereby gives notice of the following:

The New York State Department of Environmental Conservation (The Department) will administer the 2024 Volunteer Fire Assistance (VFA) Grant program to assist eligible rural fire departments in the purchase of eligible wildland fire suppression equipment. VFA applications will be accepted through November 15, 2024.

A federal appropriation of \$826,990 was awarded for fire assistance grants in NYS. Fire departments eligible to apply may receive grant funding up to \$2,500 for the purchase of eligible wildland fire suppression equipment. Fire departments are required to equally match (50/50) the amount of the award. Grant funding is based on federal guidelines for use in fire districts serving a rural area or a rural community with a population of 10,000 or less. A fire department serving a population greater than 10,000 and not providing protection to a rural area or rural community is not eligible for VFA financial assistance.

Applications are scored based on established rating criteria including: population, the I.S.O. Fire Prevention Insurance rating, the presence of Native American communities in the district and the date of the last VFA grant received.

Applications are available on-line <https://dec.ny.gov/environmental-protection/public-safety/volunteer-fire-assistance-grants>. *For further information, contact:* Lynne Korona, DEC, Division of Forest Protection, 625 Broadway, 3rd Fl., Albany, NY 12233-2560, (518) 402-8835, or email questions to vfragrant@dec.ny.gov

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE

Department of Civil Service

Pursuant to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for October 2024 will be conducted on October 16 and October 17 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at <https://www.cs.ny.gov/commission/>.

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. 1, Albany, NY 12239, (518) 473-6598

PUBLIC NOTICE

Department of State
F-2024-0346

Date of Issuance – October 2, 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 (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification 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-2024-0346, New York State Office of Resilient Homes and Communities (RHC) is proposing an oyster restoration on and adjacent to several breakwater segments. RHC is proposing the proj-

ect will be conducted by Billion Oyster Project (BOP). With the proposed project, BOP would establish multiple oyster restoration techniques on and around the Living Breakwaters, including bay balls installed on the floor of Raritan Bay adjacent to the breakwaters on the leeward side, placement of disks within the ECO-enhanced concrete units on the breakwaters, and in-situ oyster larvae setting treatments. The Living Breakwaters project is located offshore from the Totenville shoreline, Raritan Bay, Staten Island, NY, 10301.

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

<https://dos.ny.gov/system/files/documents/2024/010/f-2024-0346.pdf> or at <https://dos.ny.gov/public-notices>

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 November 1, 2024.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. 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-2024-0396

Date of Issuance – October 2, 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-2024-0396, the applicant, Town of North Hempstead, c/o Kelly Gillen, is proposing to install 1250 linear feet of riprap, 1300 linear feet of gabion walls, and 250 linear feet of geoweb grid system along eroding shoreline along the Hempstead Harbor Shoreline Trail. 100 CY of fill will be excavated and removed from the site. This project is located along the southern portion of North Hempstead Beach Park, 175 West Shore Road, Town of North Hempstead, Nassau County, Hempstead Harbor.

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

<https://dos.ny.gov/system/files/documents/2024/10/f-2024-0396.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):

- Hempstead Harbor Significant Coastal Fish and Wildlife Habitat:

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

- Long Island Sound Coastal Management Program:

<https://dos.ny.gov/long-island-sound-coastal-management-program-0>

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 November 1, 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-2024-0469

Date of Issuance – October 2, 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-2024-0469, Astoria Generating Company, LP is proposing to place electric storage batteries permanently on the existing pier. The project is located 18-01 20th Street, Queens, East River.

The stated purpose of the proposed action is "...[to] provide peak capacity, energy, and other services to strengthen the grid reliability in New York City."

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

<https://dos.ny.gov/system/files/documents/2024/10/f-2024-0469.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 November 1, 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-2024-0533

Date of Issuance – October 2, 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-2024-0533, NYS Office of Parks, Recreation and Historic Preservation: is proposing restoration and enhancement of a portion of

Yanty Creek and Yanty Marsh including excavation of channels to increase hydrologic connectivity, removal of invasive vegetation, and reintroduction of native vegetation. Up to 12,177.47 cubic yards of material will be excavated or dredged via excavator(s) placed on crane-mats. Excavated materials from the creek and marsh will be placed in a designated upland spoils area within Hamlin Beach State Park. The proposed project would be located at 1 Hamlin Beach Boulevard West, Yanty Creek and Marsh, Town of Hamlin, Monroe County.

The stated purpose of the proposed action is to "Return the area to a more natural state to enhance ecological functions and recreational value."

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

<https://dos.ny.gov/system/files/documents/2024/10/f-2024-0533.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 November 1, 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-2024-0581

Date of Issuance – October 2, 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-2024-0581, Rich Reichenbach, Jr. is proposing installation of approximately 100 linear feet of approximately 7.5 feet wide-angled, partial sub-grade, natural sand and 500 lb. toe stone. Stone will be graded over with clean sand and cobble mix, with beach grass plug plantings. 15 Romana Drive, Hampton Bays/Town of Southampton, Suffolk County, Tiana Bay.

The stated purpose of the proposed action is continued shoreline protection and shoreline restoration.

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

<https://dos.ny.gov/system/files/documents/2024/09/f-2024-0581.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 November 1, 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-2024-0594

Date of Issuance – October 2, 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-2024-0594, Gordon Terry, is proposing to remove and replace, in-place, existing bulkhead with low sill bulkhead. Plant intertidal marsh vegetation landward of the new bulkhead in the boat slip area. Install 3-foot(ft)-wide by 12-ft-long ramp, 6-ft-wide by 20-ft-long floating dock, and anchor piles. 96 Lake Avenue, Senix Creek, Town of Brookhaven, Suffolk County.

The stated purpose of the proposed action is to “Replace dilapidated wood bulkhead with low sill bulkhead and install ramp/float to access waters.”

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

<https://dos.ny.gov/system/files/documents/2024/10/f-2024-0594.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or October 17, 2024.

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

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

PUBLIC NOTICE
 Department of State
 F-2024-0600

Date of Issuance – October 2, 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-2024-0600, the applicant, Town of North Hempstead DPW c/o Victor Thomas, is proposing to excavate 6,886 CY of material of existing substrate for the placement of rip-rap, establish a low marsh, and to establish breakwater sills; install a 15' wide riprap revetment along the shoreline and restore the previously existing 10'wide x 90' long stone jetty within its original footprint, totaling 7,302 CY of material with 4,926 CY below SHW; plant a low marsh at 1.0 NAVD88; and install (8) breakwater riprap sills. Each breakwater will be approx. 12' wide, 85' long, have a crest height of 4.5' NAVD88, and be spaced apart with an 8' wide x 20' long opening to allow tidal flushing. This project is located along the norther portion of North Hempstead Beach Park, 175 West Shore Road, Town of North Hempstead, Nassau County, Hempstead Harbor.

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

<https://dos.ny.gov/system/files/documents/2024/10/f-2024-0600.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):

- Hempstead Harbor Significant Coastal Fish and Wildlife Habitat:

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

- Long Island Sound Coastal Management Program:

<https://dos.ny.gov/long-island-sound-coastal-management-program-0>

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 November 1, 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-2024-0615

Date of Issuance – October 2, 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-2024-0615, Sun is Shinning LLC, is proposing to construct a 4 foot(ft)-wide by 70 ft-long pile supported pier with open grate decking, a 3 ft-wide by 12 ft-long access ramp, and a 6 ft-wide by 20 ft-long floating dock. The proposed project would be located at 32 S. Midway Road, Menantic Creek, Town of Shelter Island, Suffolk County.

The stated purpose of the proposed action is “To provide access to navigable waters so that owners can participate in water dependent activities as well as provide safe boarding & unboarding of the owner’s vessel during all tidal ranges.”

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

<https://dos.ny.gov/system/files/documents/2024/10/f-2024-0615.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15/30 days from the date of publication of this notice, or November 1, 2024.

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

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

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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

2024-0383 Matter of IN/EX Architecture, P.C., 133 S. Fitzhugh Street, Rochester, NY 14608, for a variance concerning safety requirements, including distance to fixtures. Involved is an existing building located at 35 Luther Circle, Building 4, City of Rochester, County of Monroe, State of New York.

2024-0429 Matter of SEI Design Group, 224 Mill Street, Rochester, NY 14614, for a variance concerning safety requirements, including area limitations. Involved is an existing building located at 1000 Chili Center Cold Water Road, Town of Chili, County of Monroe, State of New York.

2024-0449 Matter of Thornton Engineering, LLP, 30 Assembly Drive, Suite 106, Mendon, NY 14506, for a variance concerning safety requirements, including distance from a hydrant. Involved is a one-family dwelling located at 584 Chambers Street, Town of Ogden, County of Monroe, State of New York.

2024-0450 Matter of Ahmed Alloush, 1080 Wendell Avenue, Schenectady, NY 12308, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing building located at 1319 Union Street, City of Schenectady, County of Schenectady, State of New York.

2024-0457 Matter of First Total Basement Finishing of WNY, 950A Union Street, Buffalo, NY 14224, for a variance concerning safety requirements, including basement ceiling height. Involved is a one-family dwelling located at 234 Mohawk Street, City of Rochester, County of Monroe, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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

2024-0436 Matter of Catherine Vandrei, 90 High Street, Huntington, NY 11743, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 170 Bay Road, Village of Huntington Bay, County of Suffolk, State of New York.

2024-0458 Matter of Vincent Albert Architect, Vincent Albert, 106 New Hampshire Avenue, Massapequa, NY 11758, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 10 Malverne Avenue, Village of Malverne, County of Nassau, State of New York.

2024-0460 Matter of Nesfield Architect, P.C., Peter Nesfield, 1527 Franklin Ave. Ste. LL1, Mineola, NY 11501, for a variance concerning safety requirements, including sprinkler & emergency escape requirements. Involved is an existing dwelling located at 75 Dogwood Ave., Village of Roslyn Harbor, County of Nassau, State of New York.

2024-0476 Matter of Permits R Us, Salvatore Coscia, 338 Jericho Turnpike #396, Syosset, NY 11791, for a variance concerning safety requirements, including flood construction requirements. Involved is

an existing dwelling located at 45 Park Drive, Town of Hempstead, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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

2024-0469 In the Matter of Able-Care Group LLC, Trent Mornan, 83 Chamberlain Avenue, Elmwood Park, NJ 07407, for a variance concerning safety requirements, including stairwidth. Involved is a building located at 27 Juniper Hill Road, Town of Greenburgh, County of Westchester, State of New York.

2024-0470 In the Matter of John Dingee, 80 Church Street, Tarrytown, NY 10591, for a variance concerning safety requirements, including fixture clearance. Involved is a one family dwelling located in the Village of Irvington, County of Westchester, State of New York.

2024-0471 In the Matter of One Kingsland Owner LLC, William Mcguinness, 575 Lexington Avenue, 14th Floor, New York, NY 10019, for a variance concerning safety requirements, including accessible spaces and routes. Involved is a building located at 320-330 Legend Drive, Village of Sleepy Hollow, County of Westchester, State of New York.

CONCURRENT RESOLUTIONS

*Pursuant to the provisions of Section One of Article Nineteen of the Constitution of the State of New York, notice is hereby given that the following proposed amendments to the Constitution of the State of New York are referred to the Legislature to be chosen at the next general election to be held on the Fifth day of November 2024. New matter added is **bold** and underscored. **Bold and ~~strikeout~~ matter in brackets is to be omitted.***

PROPOSED AMENDMENT NUMBER ONE

Senate 5540

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 14 of the constitution, in relation to the Mount Van Hoevenberg Olympic Sports Complex in Essex County

Section 1. Resolved (if the Assembly concur), That section 1 of article 14 of the constitution be amended to read as follows:

Section 1. The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing herein contained shall prevent the state from constructing, completing and maintaining any highway heretofore specifically authorized by constitutional amendment, nor from constructing and maintaining to federal standards federal aid interstate highway route five hundred two from a point in the vicinity of the city of Glens Falls, thence northerly to the vicinity of the villages of Lake George and Warrensburg, the hamlets of South Horicon and Pottersville and thence northerly in a generally straight line on the west side of Schroon Lake to the vicinity of the hamlet of Schroon, then continuing northerly to the vicinity of Schroon Falls, Schroon River and North Hudson, and to the east of Makomis Mountain, east of the hamlet of New Russia, east of the village of Elizabethtown and continuing northerly in the vicinity of the hamlet of Towers Forge, and east of Poke-O-Moonshine Mountain and continuing northerly to the vicinity of the village of Keeseville and the city of Plattsburgh, all of the aforesaid taking not to exceed a total of three hundred acres of state forest preserve land, nor from constructing and maintaining not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than five miles of such trails shall be in excess of one hundred twenty feet wide, on the north, east and northwest slopes of Whiteface Mountain in Essex county, nor from constructing and maintaining not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than two miles of such trails shall be in excess of one hundred twenty feet wide, on the slopes of Belleayre Mountain in Ulster and Delaware counties and not more than forty miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than eight miles of such trails shall be in excess of one hundred twenty feet wide, on the slopes of Gore and

Pete Gay mountains in Warren county, nor from relocating, reconstructing and maintaining a total of not more than fifty miles of existing state highways for the purpose of eliminating the hazards of dangerous curves and grades, provided a total of no more than four hundred acres of forest preserve land shall be used for such purpose and that no single relocated portion of any highway shall exceed one mile in length. Notwithstanding the foregoing provisions, the state may convey to the village of Saranac Lake ten acres of forest preserve land adjacent to the boundaries of such village for public use in providing for refuse disposal and in exchange therefore the village of Saranac Lake shall convey to the state thirty acres of certain true forest land owned by such village on Roaring Brook in the northern half of Lot 113, Township 11, Richards Survey. Notwithstanding the foregoing provisions, the state may convey to the town of Arietta twenty-eight acres of forest preserve land within such town for public use in providing for the extension of the runway and landing strip of the Piseco airport and in exchange therefor the town of Arietta shall convey to the state thirty acres of certain land owned by such town in the town of Arietta. Notwithstanding the foregoing provisions and subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title, the state, in order to consolidate its land holdings for better management, may convey to International Paper Company approximately eight thousand five hundred acres of forest preserve land located in townships two and three of Totten and Crossfield Purchase and township nine of the Moose River Tract, Hamilton county, and in exchange therefore International Paper Company shall convey to the state for incorporation into the forest preserve approximately the same number of acres of land located within such townships and such County on condition that the legislature shall determine that the lands to be received by the state are at least equal in value to the lands to be conveyed by the state. Notwithstanding the foregoing provisions and subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title and the conditions herein set forth, the state, in order to facilitate the preservation of historic buildings listed on the national register of historic places by rejoining an historic grouping of buildings under unitary ownership and stewardship, may convey to Sagamore Institute Inc., a not-for-profit educational organization, approximately ten acres of land and buildings thereon adjoining the real property of the Sagamore Institute, Inc. and located on Sagamore Road, near Raquette Lake Village, in the Town of Long Lake, county of Hamilton, and in exchange therefor; Sagamore Institute, Inc. shall convey to the state for incorporation into the forest preserve approximately two hundred acres of wild forest land located within the Adirondack Park on condition that the legislature shall determine that the lands to be received by the state are at least equal in value to the lands and buildings to be conveyed by the state and that the natural and historic character of the lands and buildings conveyed by the state will be secured by appropriate covenants and restrictions and that the lands and buildings conveyed by the state will reasonably be available for public visits according to agreement between Sagamore Institute, Inc. and the state. Notwithstanding the foregoing provisions the state may convey to the town of Arietta fifty acres of forest preserve land within such town for public use in providing for the extension of the runway and landing strip of the Piseco airport and providing for the maintenance of a clear zone around such runway, and in exchange therefor, the town of Arietta shall convey to the state fifty-three acres

of true forest land located in lot 2 township 2 Totten and Crossfield's Purchase in the town of Lake Pleasant. Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, the state may convey to the town of Keene, Essex county, for public use as a cemetery owned by such town, approximately twelve acres of forest preserve land within such town and, in exchange therefor, the town of Keene shall convey to the state for incorporation into the forest preserve approximately one hundred forty-four acres of land, together with an easement over land owned by such town including the riverbed adjacent to the land to be conveyed to the state that will restrict further development of such land, on condition that the legislature shall determine that the property to be received by the state is at least equal in value to the land to be conveyed by the state. Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, because there is no viable alternative to using forest preserve lands for the siting of drinking water wells and necessary appurtenances and because such wells are necessary to meet drinking water quality standards, the state may convey to the town of Long Lake, Hamilton county, one acre of forest preserve land within such town for public use as the site of such drinking water wells and necessary appurtenances for the municipal water supply for the hamlet of Raquette Lake. In exchange therefor, the town of Long Lake shall convey to the state at least twelve acres of land located in Hamilton County for incorporation into the forest preserve that the legislature shall determine is at least equal in value to the land to be conveyed by the state. The Raquette Lake surface reservoir shall be abandoned as a drinking water supply source. Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, the state may convey to National Grid up to six acres adjoining State Route 56 in St. Lawrence County where it passes through Forest Preserve in Township 5, Lots 1, 2, 5 and 6 that is necessary and appropriate for National Grid to construct a new 46kV power line and in exchange therefore National Grid shall convey to the state for incorporation into the forest preserve at least 10 acres of forest land owned by National Grid in St. Lawrence county, on condition that the legislature shall determine that the property to be received by the state is at least equal in value to the land conveyed by the state. Notwithstanding the foregoing provisions, the legislature may authorize the settlement, according to terms determined by the legislature, of title disputes in township forty, Totten and Crossfield purchase in the town of Long Lake, Hamilton county, to resolve longstanding and competing claims of title between the state and private parties in said township, provided that prior to, and as a condition of such settlement, land purchased without the use of state-appropriated funds, and suitable for incorporation in the forest preserve within the Adirondack park, shall be conveyed to the state on the condition that the legislature shall determine that the property to be conveyed to the state shall provide a net benefit to the forest preserve as compared to the township forty lands subject to such settlement. Notwithstanding the foregoing provisions, the state may authorize NYCO Minerals, Inc. to engage in mineral sampling operations, solely at its expense, to determine the quantity and quality of wollastonite on approximately 200 acres of forest preserve land contained in lot 8, Stowers survey, town of Lewis, Essex County provided that NYCO Minerals, Inc. shall provide the data and information derived from such drilling to the state for appraisal purposes. Subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title, the state may subsequently convey said lot 8 to NYCO Minerals, Inc., and, in exchange therefor, NYCO Minerals, Inc. shall convey to the state for incorporation into the forest preserve not less than the same number of acres of land, on condition that the legislature shall determine that the lands to be received by the state are equal to or greater than the value of the land to be conveyed by the state and on condition that the assessed value of the land to be conveyed to the state shall total not less than one million dollars. When NYCO Minerals, Inc. terminates all mining operations on such lot 8 it shall remediate the site and convey title to such lot back to the state of New York for inclusion in the forest preserve. In the event that lot 8 is not conveyed to NYCO Minerals, Inc. pursuant to this paragraph, NYCO Minerals, Inc. nevertheless shall convey to the state for incorporation into the forest preserve not less than the same number of acres of land that is disturbed by any mineral sampling operations conducted on said lot 8 pursuant to this

paragraph on condition that the legislature shall determine that the lands to be received by the state are equal to or greater than the value of the lands disturbed by the mineral sampling operations. Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, a total of no more than two hundred fifty acres of forest preserve land shall be used for the establishment of a health and safety land account. Where no viable alternative exists and other criteria developed by the legislature are satisfied, a town, village or county may apply, pursuant to a process determined by the legislature, to the health and safety land account for projects limited to: address bridge hazards or safety on county highways, and town highways listed on the local highway inventory maintained by the department of transportation, dedicated, and in existence on January first, two thousand fifteen, and annually plowed and regularly maintained; elimination of the hazards of dangerous curves and grades on county highways, and town highways listed on the local highway inventory maintained by the department of transportation, dedicated, and in existence on January first, two thousand fifteen, and annually plowed and regularly maintained; relocation and reconstruction and maintenance of county highways, and town highways listed on the local highway inventory maintained by the department of transportation, dedicated, and in existence on January first, two thousand fifteen, and annually plowed and regularly maintained, provided further that no single relocated portion of any such highway shall exceed one mile in length; and water wells and necessary appurtenances when such wells are necessary to meet drinking water quality standards and are located within five hundred thirty feet of state highways, county highways, and town highways listed on the local highway inventory maintained by the department of transportation, dedicated, and in existence on January first, two thousand fifteen, and annually plowed and regularly maintained. As a condition of the creation of such health and safety land account the state shall acquire two hundred fifty acres of land for incorporation into the forest preserve, on condition that the legislature shall approve such lands to be added to the forest preserve. **Notwithstanding the foregoing provisions, the construction, operation, and maintenance to international standards for Nordic skiing and biathlon trails that will accommodate global competitions, training, and events, totaling not more than three hundred twenty-three acres of trails and appurtenances thereto, is authorized on one thousand thirty-nine acres of forest preserve lands at the Mount Van Hoevenberg Olympic Sports Complex in the town of North Elba in Essex county, and as an offset thereto the state must acquire for incorporation into the forest preserve at least two thousand five hundred acres of forest land for inclusion in the forest preserve in the Adirondack Park on condition that the legislature shall determine that such lands are equal to or greater in value.**

§ 2. RESOLVED (if the Assembly concur), That the foregoing be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

PROPOSED AMENDMENT
NUMBER TWO

Senate 5414

CONCURRENT RESOLUTION OF THE SENATE AND
ASSEMBLY

proposing amendments to article 6 of the constitution, in relation to the number of supreme court justices in any judicial district

Section 1. Resolved (if the Assembly concur), That subdivision d of section 6 of article 6 of the constitution be amended to read as follows:

d. The supreme court is continued. It shall consist of the number of justices of the supreme court including the justices designated to the appellate divisions of the supreme court, judges of the county court of the counties of Bronx, Kings, Queens and Richmond and judges of the court of general sessions of the county of New York authorized by law

on the thirty-first day of August next after the approval and ratification of this amendment by the people, all of whom shall be justices of the supreme court for the remainder of their terms. The legislature may increase the number of justices of the supreme court in any judicial district [~~], except that the number in any district shall not be increased to exceed one justice for fifty thousand, or fraction over thirty thousand of the population thereof as shown by the last federal census or state enumeration~~]. The legislature may decrease the number of justices of the supreme court in any judicial district, except that the number in any district shall not be less than the number of justices of the supreme court authorized by law on the effective date of this article.

§ 2. Resolved (if the Assembly concur), That the foregoing amendments be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

2025 SCHEDULE REGISTER

DEADLINE	ISSUE DATE	DEADLINE	ISSUE DATE
Tuesday	Wednesday	Tuesday	Wednesday
JANUARY		JULY	
December 24	January 8	June 17	July 2
December 31	January 15	June 24	July 9
January 7	January 22	July 1	July 16
January 14	January 29	July 8	July 23
		July 15	July 30
FEBRUARY		AUGUST	
January 21	February 5	July 22	August 6
January 28	February 12	July 29	August 13
February 4	February 19	August 5	August 20
February 11	February 26	August 12	August 27
MARCH		SEPTEMBER	
February 18	March 5	August 19	September 3
February 25	March 12	August 26	September 10
March 4	March 19	September 2	September 17
March 11	March 26	September 9	September 24
APRIL		OCTOBER	
March 18	April 2	September 16	October 1
March 25	April 9	September 23	October 8
April 1	April 16	September 30	October 15
April 8	April 23	October 7	October 22
April 15	April 30	October 14	October 29
MAY		NOVEMBER	
April 22	May 7	October 21	November 5
April 29	May 14	October 28	November 12
April 6	May 21	November 4	November 19
May 13	May 28	November 10*	November 26
JUNE		DECEMBER	
May 20	June 4	November 18	December 3
May 27	June 11	November 25	December 10
June 3	June 18	December 2	December 17
June 10	June 25	December 9	December 24
		December 16	December 31

*Monday deadline date due to Tuesday holiday.

NYS DEPARTMENT OF STATE & DIVISION OF ADMINISTRATIVE RULES
 99 WASHINGTON AVE., ALBANY, NY 12231-0001
 For production assistance, contact:
 Christopher DeMarco at (518) 474-6957
 For legal opinions or assistance, contact the Office of Counsel at (518) 474-6740

Revised, October 2024

NYS DEPARTMENT OF STATE
 DIVISION OF ADMINISTRATIVE RULES
 VOL. XLVII (Revised October 2024)

2025 RULE MAKING CALENDAR (2026 dates in *italic*)

REGISTER							
NO.	DATE	30 DAYS	45 DAYS	60 DAYS	90 DAYS	120 DAYS	365 DAYS
1	JAN 8	FEB 7	FEB 22	MAR 9	APR 8	MAY 8	JAN 8
2	15	14	MAR 1	16	15	15	15
3	22	21	8	23	22	22	22
4	29	28	15	30	29	29	29
5	FEB 5	MAR 7	22	APR 6	MAY 6	JUN 5	FEB 5
6	12	14	29	13	13	12	12
7	19	21	APR 5	20	20	19	19
8	26	28	12	27	27	26	26
9	MAR 5	APR 4	19	MAY 4	JUN 3	JUL 3	MAR 5
10	12	11	26	11	10	10	12
11	19	18	MAY 3	18	17	17	19
12	26	25	10	25	24	24	26
13	APR 2	MAY 2	17	JUN 1	JUL 1	31	APR 2
14	9	9	24	8	8	AUG 7	9
15	16	16	31	15	15	14	16
16	23	23	JUN 7	22	22	21	23
17	30	30	14	29	29	28	30
18	MAY 7	JUN 6	21	JUL 6	AUG 5	SEP 4	MAY 7
19	14	13	28	13	12	11	14
20	21	20	JUL 5	20	19	18	21
21	28	27	12	27	26	25	28
22	JUN 4	JUL 4	19	AUG 3	SEP 2	OCT 2	JUN 4
23	11	11	26	10	9	9	11
24	18	18	AUG 2	17	16	16	18
25	25	25	9	24	23	23	25
26	JUL 2	AUG 1	16	31	30	30	JUL 2
27	9	8	23	SEP 7	OCT 7	NOV 6	9
28	16	15	30	14	14	13	16
29	23	22	SEP 6	21	21	20	23
30	30	29	13	28	28	27	30
31	AUG 6	SEP 5	20	OCT 5	NOV 4	DEC 4	AUG 6
32	13	12	27	12	11	11	13
33	20	19	OCT 4	19	18	18	20
34	27	26	11	26	25	25	27
35	SEP 3	OCT 3	18	NOV 2	DEC 2	JAN 1	SEP 3
36	10	10	25	9	9	8	10
37	17	17	NOV 1	16	16	15	17
38	24	24	8	23	23	22	24
39	OCT 1	31	15	30	30	29	OCT 1
40	8	NOV 7	22	DEC 7	JAN 6	FEB 5	8
41	15	14	29	14	13	12	15
42	22	21	DEC 6	21	20	19	22
43	29	28	13	28	27	26	29
44	NOV 5	DEC 5	20	JAN 4	FEB 3	MAR 5	NOV 5
45	12	12	27	11	10	12	12
46	19	19	JAN 3	18	17	19	19
47	26	26	10	25	24	26	26
48	DEC 3	JAN 2	17	FEB 1	MAR 3	APR 2	DEC 3
49	9	9	24	8	10	9	9
50	17	16	31	15	17	16	17
51	24	23	FEB 7	22	24	23	24
52	31	30	14	MAR 1	31	30	31

When any of the above dates falls on a Saturday, Sunday or legal holiday, the action that is due or the time span that expires does so on the close of business of the *next succeeding* work day.



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Christopher DeMarco, New York State Department of State, Division of Administrative Rules, One Commerce Plaza,
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Date

9/24/2024

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