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

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***INSIDE THIS ISSUE:***

- “12-6” Elbow Strikes
- Evaluation of Classroom Teachers and Building Principals
- Ethics Training for Lobbyists and Clients

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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 January 19, 2024
- the 45-day period expires on January 4, 2024
- the 30-day period expires on December 20, 2024

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GOVERNOR**

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SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

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

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

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

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

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

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

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

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

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# RULE MAKING ACTIVITIES

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

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

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

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## New York State Athletic Commission

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### EMERGENCY RULE MAKING

#### “12-6” Elbow Strikes

**I.D. No.** ATH-46-24-00024-E

**Filing No.** 949

**Filing Date:** 2024-11-01

**Effective Date:** 2024-11-01

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

**Action taken:** Repeal of section 212.10(b)(10) of Title 19 NYCRR.

**Statutory authority:** General Business Law, section 1014(5)

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

**Specific reasons underlying the finding of necessity:** On November 1, 2024, the revised Unified Rules of Mixed Martial Arts (MMA) will go into effect, including the elimination of the “12-6” elbow strike as a foul. These revised rules are intended to enhance athlete safety and ensure regulatory consistency across state and national MMA competitions. The New York State Athletic Commission (NYSAC) is required by New York General Business Law § 1014 to regulate MMA events, ensuring the health, safety, and welfare of both athletes and spectators. Adopting these revised rules promptly is necessary to align New York’s regulations with those of other jurisdictions, which will reduce confusion and promote fairness in professional MMA contests within the state.

The emergency adoption of these rules is critical due to the scheduled Ultimate Fighting Championship (UFC) 309 event at Madison Square Garden on November 16, 2024. Delaying the implementation of the

revised rules until after the traditional comment period for proposed rules could introduce unnecessary regulatory inconsistencies that would endanger athletes and undermine the integrity of the regulatory framework for MMA in New York. The regulatory provision at 19 NYCRR § 212.10(b)(10), which currently prohibits the “12-6” elbow strike, conflicts with the recently updated Unified Rules and could create confusion for participants and officials during the event.

Most importantly, the continued presence of this outdated regulatory language poses a significant safety risk for fighters. Conflicting Unified Rules and New York State regulations could lead to improper or inadequate defenses and tactical errors, increasing the likelihood of injury. Emergency adoption of this rule is therefore required for the preservation of public health, safety, and general welfare. Compliance with the requirements associated with a notice of proposed rulemaking would be contrary to the public interest.

**Subject:** “12-6” Elbow Strikes.

**Purpose:** To repeal “12-6” elbow strikes as an enumerated foul to conform to the Unified Rules of Mixed Martial Arts.

**Text of emergency rule:** Paragraph (10) of subdivision (b) of section 212.10 is repealed.

[striking downward using the point of the elbow;] *reserved*;

**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. ATH-46-24-00024-P, Issue of November 13, 2024. The emergency rule will expire January 29, 2025.

**Text of rule and any required statements and analyses may be obtained from:** Samantha McEachin, Athletic Commission, 123 William Street, 2nd Floor, New York, NY 10038, (212) 417-2149, email: [samantha.mceachin@dos.ny.gov](mailto:samantha.mceachin@dos.ny.gov)

#### Regulatory Impact Statement

##### 1. Statutory Authority

Article 41 of the General Business Law authorizes the New York State Athletic Commission (NYSAC) to promulgate regulations governing the conduct of authorized professional combative sports.

##### 2. Legislative Objectives

To protect the health, safety, and general welfare of all participants in combative sports.

##### 3. Needs and Benefits

The purpose of the rule is to protect the health and safety of combatants and officials during a mixed martial arts contest or exhibition. The rule is necessary to align New York’s regulations with the updated Unified Rules of Mixed Martial Arts, ensuring consistency with national standards. Specifically, the rule change eliminates the prohibition against the “12-6” elbow strike, a modification deemed crucial for athlete safety and regulatory uniformity. This rule amendment will prevent confusion that could arise from outdated regulations, reduce the risk of injury due to conflicting rules, and maintain the integrity of New York’s combative sports regulatory framework.

##### 4. Costs

There are no costs to regulated parties for the implementation of and continuing compliance with the rule. There are also no costs to the agency, State or local governments for the implementation of and continuing compliance with the rule.

##### 5. Local Government Mandates

There is no program, service, duty or responsibility imposed by the rule upon any county, city, town, village, school district or other special district.

##### 6. Paperwork

The rule will not create any new reporting requirements and will therefore not establish a need for forms and other paperwork.

##### 7. Duplication

This rule overlaps with another rule promulgated by NYSAC, 19 NYCRR 212.1 (Application of the unified rules of mixed martial arts).



Section 212.1 requires that all professional mixed martial arts contests and exhibitions shall be contested according to the rules of the commission and the Unified Rules of Mixed Martial Arts adopted and amended by the Association of Boxing Commissions (ABC), unless otherwise authorized or directed by the commission. On September 5, 2024, NYSAC convened and adopted Commission Bulletin 2024-3 which seeks to repeal 19 NYCRR § 212.10(b)(10), which currently makes “striking downward using the point of the elbow” a foul in MMA, in order to conform with the Unified Rules of Mixed Martial Arts as adopted and amended by the ABC this past July pursuant to 19 NYCRR § 212.1. The ABC’s amendment is effective 11/1/24. This rulemaking is necessary to resolve any perceived or actual conflict of NYSAC rules on regulated persons. There are no relevant rules and other legal requirements of the state and federal governments that may duplicate, overlap or conflict with the rule.

#### 8. Alternatives

There were no significant alternatives to be considered.

#### 9. Federal Standards

There are no minimum standards of the federal government for the same or similar subject area.

#### 10. Compliance Schedule

Regulated persons can achieve compliance immediately upon filing the Emergency Notice with the Office of the Secretary of State.

#### Regulatory Flexibility Analysis

The rule imposes no adverse economic impact on small businesses or local governments, nor does it introduce any reporting, recordkeeping, or compliance requirements for these entities.

The rule aligns New York State’s regulations with the updated Unified Rules of Mixed Martial Arts, enhancing safety protocols for combatants and officials. By eliminating outdated restrictions, such as the prohibition of the “12-6” elbow strike, the rule reduces the risk of confusion during competitions and ensures consistent enforcement across jurisdictions. This promotes fairness and safeguards the health and safety of participants without imposing additional burdens on small businesses or local governments.

#### Rural Area Flexibility Analysis

This rule imposes neither an adverse impact on rural areas; nor reporting, recordkeeping or other compliance requirements on public or private entities in rural areas.

The rule aligns New York State’s regulations with the updated Unified Rules of Mixed Martial Arts, enhancing safety protocols for combatants and officials. By eliminating outdated restrictions, such as the prohibition of the “12-6” elbow strike, the rule reduces the risk of confusion during competitions and ensures consistent enforcement across jurisdictions. This promotes fairness and safeguards the health and safety of participants without imposing additional burdens on entities in rural areas.

#### Job Impact Statement

A Job Impact Statement is not required because, as apparent from the nature and purpose of the rule, it would not have a substantial adverse impact on jobs or employment opportunities. The repeal of 19 NYCRR 212.10(b)(10) would conform New York regulations to the updated Unified Rules of Mixed Martial Arts, which have been approved by the Association of Boxing Commissions and Combative Sports (ABC). This change, which would eliminate the prohibition on the downward elbow strike, would not affect the broader job market or employment opportunities in New York State. The rule aims to ensure consistency with national standards and streamline the regulation of mixed martial arts contests.

#### Text of proposed rule: Section 208.1. General policy

(a) With the exception of fiber optic signal transmission equipment, owned by transportation corporations defined in article 3 of the Transportation Corporation Law that are designated as public utilities by the Public Service Commission; or energy infrastructure planned or approved by a New York State agency or authority and accepted by any federal agencies or authorities with jurisdiction, the longitudinal use of bridges and highway rights-of-way under the jurisdiction of the New York State Bridge Authority by other than vehicle and pedestrian passage shall not be allowed.

(b) Subject to the provisions of this Part, New York State law, and applicable federal regulations [and the terms and conditions of any agreements entered into between the authority and such transportation corporations], the authority may enter into agreements with such transportation corporations, approving New York State agencies or authorities, or private entities approved by such agencies or authorities to [will] make available the rights-of-way and structures under its jurisdiction [to such transportation corporations] for the longitudinal installation of fiber optic transmission equipment or energy infrastructure where such equipment or infrastructure [they] can be installed, operated and maintained safely and without negative impact on the primary use of the facilities of the authority by motorists, bicyclists and pedestrians.

**Text of proposed rule and any required statements and analyses may be obtained from:** Kevin Ahrenholz, NYS Bridge Authority, 2 Toll Plaza Road, Highland, New York 12528, (845) 691-7245, email: KAhrenholz@NYSBA.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:

Public Authorities Law (PAL) section 538 subdivision 1 authorizes the New York State Bridge Authority (Authority) to make rules and regulations for the preservation and use of bridges under its jurisdiction. PAL section 528 subdivision 2 authorizes the Authority to make by-laws for the management and regulation of its affairs.

##### 2. Legislative objectives:

The proposed amended regulation allows NYSBA the restricted use of the Authority’s rights-of-way and structures including permitting publicly planned or approved energy infrastructure, such as clean energy transmission lines, within its rights-of-way.

##### 3. Needs and benefits:

The amendment is beneficial to the transition from fossil fuel to clean energy. The closure of the Indian Point Nuclear Power facility has necessitated new sources of clean energy for the greater New York City region. As hydroelectric and wind power are predominantly sourced from rural areas in the northern and/or western parts of the State, new transmission routes that were not previously developed are required. NYSBA property is situated in an ideal location for such a route.

##### 4. Costs:

a. To regulated parties: The proposed rule will have no financial impact upon regulated parties.

b. Costs to the State, the Authority and local governments: This proposed rule will impose no costs on local governments, or the State, and only minimal administrative costs as Authority personnel would need to be involved in the location of transmission lines on the property should such a project move forward.

##### 5. Local government mandates:

The proposed rule will not affect local governments.

##### 6. Paperwork:

Not applicable because the proposed rule is consistent with current practices. No new paperwork or recordkeeping is required as a result of this proposal.

##### 7. Duplication:

This proposed regulation does not duplicate or conflict with any State or Federal rule.

##### 8. Alternatives:

There were no significant alternatives to consider and a no action alternative was not considered.

##### 9. Federal standards:

This rule does not exceed any Federal standards.

##### 10. Compliance schedule:

The rule will be effective upon publication of the Notice of Adoption in the State Register.

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

A regulatory flexibility analysis for small business and local governments, a rural area flexibility analysis and a job impact statement are not required for this rule making proposal because it will not adversely affect small business, local governments, rural areas or jobs.

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## New York State Bridge Authority

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

#### Use of NYSBA Property and Rights-of-Way

I.D. No. SBA-47-24-00001-P

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

**Proposed Action:** Amendment of section 208.1 of Title 21 NYCRR.

**Statutory authority:** Public Authorities Law, sections 528(2) and 538(1)

**Subject:** Use of NYSBA property and rights-of-way.

**Purpose:** To regulate the use of NYSBA property and roadway rights of way for utility location and routing.



This proposed rulemaking will allow the use of NYSBA rights-of-way for publicly planned or approved energy infrastructure projects.

Due to its narrow focus, this rule will not impose an adverse economic impact or reporting, record-keeping, or other compliance requirements on small businesses in rural or urban areas or on employment opportunities. No local government activities are involved.

## Education Department

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

#### Evaluation of Classroom Teachers and Building Principals

**I.D. No.** EDU-47-24-00008-EP

**Filing No.** 954

**Filing Date:** 2024-11-05

**Effective Date:** 2024-11-05

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

**Proposed Action:** Amendment of Subpart 30-3; addition of Subpart 30-4 to Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 215, 305, 3009, 3012-d, 3012-e; L. 2024, ch. 143

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

**Specific reasons underlying the finding of necessity:** On June 28, 2024, Governor Hochul signed Chapter 143 of the Laws of 2024 (“Chapter 143”), amending, among other provisions, Education Law § 3012-d, which currently governs annual teacher and principal evaluations and establishes Education Law § 3012-e, a new framework for locally designed systems of evaluation and professional growth. Accordingly, school districts and boards of cooperative educational services (BOCES) may transition to new teacher and principal evaluation systems beginning in the 2024-2025 school year. Pursuant to Education Law § 3012-e, all school districts and BOCES must transition to their new evaluation systems beginning with the 2032-2033 school year. This new law requires the Commissioner to adopt regulations necessary to implement the evaluation system.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the March 2025 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the March meeting, would be March 26, 2025, the date the Notice of Adoption would be published in the State Register.

Because the law allows for implementation of the new evaluation system during the 2024-2025 school year, emergency action is necessary at the November 2024 meeting, effective November 5, 2024, to immediately implement Chapter 143 of the Laws of 2024, which became effective June 28, 2024.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the March 2025 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. However, since the emergency action will expire before the March Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the January 2025 Regents meeting.

**Subject:** Evaluation of Classroom Teachers and Building Principals.

**Purpose:** Implement chapter 143 of the Laws of 2024 which, among other things, establishes a new evaluation system.

**Substance of emergency/proposed rule (Full text is posted at the following State website: <https://www.counsel.nysed.gov/rules/full-text-indices>):** The title of section 30-3 and section 30-3.1 are amended to clarify that LEAs may continue to implement evaluation plans approved under Education Law § 3012-d through the 2031-32 school year. Additionally, section 30-3.1 is amended to provide that, pursuant to Chapter 143 of the Laws of 2024, LEAs may adopt a STEPS plan pursuant to Education Law § 3012-e beginning with the 2024-2025 school year; however, they are required to adopt a STEPS plan pursuant to Education Law § 3012-e no later than June 30, 2032.

Section 30-3.4 and 30-3.5 are amended to provide LEAs using district-,

school-, or program-wide measures for the student performance component a three-year window to move to a team, linked, or individual and teacher-specific measure for all teachers and principals. District-wide and school-wide measures were permitted to assist LEAs in complying with the statutory requirement for student performance measures to be included in each teacher’s and principal’s evaluation. Since LEAs are no longer required to adopt a plan under Education Law § 3012-d and may design a plan under Education Law § 3012-e that does not require the use of student performance measures, there is no longer a need for this regulatory flexibility.

Additionally, the proposed rule adds a new Subpart 30-4 to implement the new evaluation system as established by Education Law § 3012-e.

Section 30-4.1 provides that STEPS plans are subject to collective bargaining to the extent required by Education Law § 3012-e and must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart. Additionally, it clarifies that STEPS plans may be conducted beginning with the 2024-2025 school year; however, all evaluations must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart beginning with the 2032-2033 school year. It further clarifies that the goal of the STEPS plan is to support the professional learning of all teachers and building principals, and that the STEPS plan shall be a significant factor in teacher and principal development, including but not limited to coaching, induction support, and differentiated professional development for all teachers and principals.

Section 30-4.2 defines several terms used in the new Subpart.

Section 30-4.3 prescribes the requirements for STEPS plans submitted under the new Subpart, which includes applicability, timelines, and the contents of the plan.

Section 30-4.4 describes the criteria for evaluating classroom teachers and building principals on the NYS Teaching and Leadership Standards. The new law requires teachers and principals to be evaluated on each of the applicable standards using multiple measures. This section clarifies that:

- Probationary teachers and principals shall be evaluated on each standard annually and are to receive an overall rating on an annual basis.
- Tenured teachers and principals may be evaluated on each standard across a cycle, including evaluation on a subset of standards in each year of the cycle.
- Tenured teachers and principals may receive an overall rating on an evaluation cycle, provided that cycle is no longer than three years.

In determining the multiple measures that will be used within an LEA, this section creates the following requirements:

- Required Observations/School Visits Measure: LEAs shall perform more than one classroom observation/school visit for all teachers and principals on an annual basis, except that tenured teachers and principals may have multiple classroom observations/school visits across their evaluation cycle.
- Additional Measures: LEAs shall select at least one additional measure to evaluate the Teaching and Leadership Standards. These include:
  - o Portfolios
  - o Surveys and Feedback
  - o Goal Setting and Attainment
  - o Student Outcome Data, such as Student Growth Goals, IEP Goals to Evaluate Teacher’s Contribution to Student Growth, Student Achievement Goals, Performance Index, Statistical Growth Measures, and Student Portfolios
  - o Teacher/Principal Projects
  - o Other LEA-developed Measure

It further clarifies that one measure may be used to address more than one teaching or leadership standard, provided that there is at least one measure to evaluate each NYS Teaching and Leadership Standard, and each teacher’s or principal’s evaluation consists of two or more measures.

Section 30-4.5 describes the criteria for scoring the standards and determining an overall rating. The law requires that each NYS Teaching and Leadership Standard be scored on a scale of 1-4 and an overall rating of 1-4 be assigned based on the scores received for each of the standards, consistent with the LEA’s expectations for teaching and learning and the following requirements:

- Level 1 shall indicate performance significantly below an LEA’s expectations aligned to teaching/leadership standards;
- Level 2 shall indicate performance that partially meets an LEA’s expectations aligned to teaching/leadership standards;
- Level 3 shall indicate performance that meets an LEA’s expectations aligned to teaching/leadership standards; and
- Level 4 shall indicate performance that exceeds an LEA’s expectations aligned to teaching/leadership standards.

It further clarifies that LEAs may weight standards at negotiated values based on local expectations of teaching, leadership, and student learning.

Section 30-4.6 sets the training requirements for all evaluators, which includes certain prescribed elements relating to the standards, observation

techniques, bias elimination, inter-rater reliability, use of rubrics and other tools, if applicable, scoring methodology as determined by the LEA, and specific considerations for observing educators based on their specific context.

Section 30-4.7 clarifies the requirement for all teachers and principals to have a formal professional development system pursuant to Education Law § 3012-e(5)(a)(7). It further addresses the requirement that the superintendent shall develop personalized teacher/principal support plans for educators receiving an overall rating of Level 1 or 2.

Section 30-4.8 clarifies the requirement that LEAs shall train all teachers, principals, and evaluators in order to build engagement and participation among teachers, building principals and administrators with the STEPS plan pursuant to Education Law § 3012-e(5)(d)(6).

Section 30-4.9 clarifies the requirement that LEAs have a process in place for each teacher and principal to provide written comment on their STEPS plan evaluation.

Section 30-4.10 clarifies that the purpose of the STEPS plan is to provide feedback and recommendations to support teacher and principal growth.

Section 30-4.11 addresses the requirement that LEAs shall annually submit data for each standard evaluated and overall ratings, if applicable.

Section 30-4.12 provides for the severability of each section of the new Subpart.

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire February 2, 2025.

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

**Data, views or arguments may be submitted to:** William P. Murphy, Deputy Commissioner, NYS Education Department, Office of Higher Education, 89 Washington Avenue, Room 975 EBA, Albany, NY 12234, (518) 473-3781, email: OHERegcomments@nysed.gov

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

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

#### Regulatory Impact Statement

##### 1. STATUTORY AUTHORITY:

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

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

Education Law § 215 empowers the Regents and the Commissioner to visit, examine into and inspect, any institution in the University and any school or institution under the educational supervision of the State and may require reports therefrom giving information as the Regents or the Commissioner prescribe.

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

Education Law § 3009(1) prohibits school districts from paying the salary of an unqualified teacher.

Education Law § 3012-d(1), and (11), as amended by Chapter 143 of the Laws of 2024, clarifies that school districts and boards of cooperative educational services (BOCES) may conduct annual professional performance reviews pursuant to Education Law § 3012-e beginning with the 2024-2025 school year, and that plans adopted pursuant to section 3012-d are not applicable after the 2031-2032 school year.

Education Law § 3012-e, as added by Chapter 143 of the Laws of 2024, requires every school district and BOCES to develop and adopt a performance review plan to conduct performance review of classroom teachers and building principals pursuant to such section no later than June 30, 2032.

##### 2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to implement Chapter 143 of the Laws of 2024 ("Chapter 143"), signed into law on June 28, 2024, by Governor Hochul amending, among other provisions, Education Law § 3012-d, which currently governs annual teacher and principal evaluations. This law also established Education Law § 3012-e, a new framework for locally designed systems of evaluation and professional growth. Accordingly, school districts and boards of cooperative educational services (BOCES) may transition to new teacher and principal evaluation systems beginning in the 2024-2025 school year. Pursuant to Education Law § 3012-e, all school districts and

BOCES must transition to their new evaluation systems beginning with the 2032-2033 school year. This new law requires the Commissioner to adopt regulations necessary to implement the evaluation system.

##### 3. NEEDS AND BENEFITS:

Chapter 143 requires the Commissioner to adopt regulations necessary to implement the new evaluation system pursuant to Education Law § 3012-e. Consistent with Education Law § 3012-e, the key features of the new system include:

###### Local Flexibility in Design

- Each local educational agency (LEA) will have the flexibility to design a Standards-based Educator Evaluation and Professional Support (STEPS) plan that reflects their expectations for teaching and learning and school leadership while maintaining fidelity to our State's Teaching Standards and Leadership Standards, including the Culturally Responsive-Sustaining Education Framework.

- STEPS plans will consist of multiple measures, at least one of which will be observations for teachers and school visits for principals.

- Unlike prior evaluation systems, a STEPS plan can be differentiated for different educators, and school leader evaluations are no longer required to be aligned to teacher evaluations.

- Each measure will align to one or more of the New York State (NYS) Teaching Standards and Leadership Standards, for teachers and principals respectively, and LEAs will establish their own criteria for assigning a Level 1-4 rating for each standard and an overall rating.

###### Emphasis on Professional Learning and Growth

- As part of their STEPS plan, each LEA will develop a formal process to ensure that all educators are provided with timely, actionable feedback on their practice and differentiated professional growth opportunities, with enhanced supports for educators whose overall ratings are Level 1 or 2.

- Chapter 143 also eliminates the mandatory use of overall evaluation ratings as part of tenure determinations and expedited disciplinary proceedings under Education Law § 3020-a and 3020-b, thereby ensuring that the evaluation system can be used as a tool to support growth.

- These statutory amendments do not affect the right of boards of education to terminate a probationary teacher's employment for any statutorily or constitutionally permissible reason, including performance.

###### Timeline for Adoption of New Plans under Education Law § 3012-e

- LEAs will be able to transition to their STEPS plans once the Department adopts regulations approved by the Board of Regents and makes available the form and process for submitting a STEPS plan to the Department for review and acceptance.

- LEAs may continue to implement and modify their current evaluation systems under Education Law § 3012-d through the 2031-2032 school year.

- LEAs are required to adopt their STEPS plan no later than June 30, 2032.

##### 4. COSTS:

(a) Costs to State government: The proposed rule does not impose any costs on State government beyond those imposed by statute.

(b) Costs to local government: The proposed rule does not impose any costs on local government beyond those imposed by statute.

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

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

##### 5. LOCAL GOVERNMENT MANDATES:

The proposed rule amends sections 30-3.4 and 30-3.5 to provide that LEAs using district-, school-, or program-wide measures for the student performance component a three-year window to move to a team, linked, or individual and teacher-specific measure for all teachers and principals.

The proposed rule adds a new Subpart 30-4 which prescribes requirements for LEAs to implement the new evaluation system as established by Education Law § 3012-e, as follows:

Section 30-4.1 provides that STEPS plans are subject to collective bargaining to the extent required by Education Law § 3012-e and must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart. Additionally, it clarifies that STEPS plans may be conducted beginning with the 2024-2025 school year; however, all evaluations must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart beginning with the 2032-2033 school year. It further clarifies that the goal of the STEPS plan is to support the professional learning of all teachers and building principals, and that the STEPS plan shall be a significant factor in teacher and principal development, including but not limited to coaching, induction support, and differentiated professional development for all teachers and principals.

Section 30-4.3 prescribes the requirements for STEPS plans submitted under the new Subpart, which includes applicability, timelines, and the contents of the plan.

Section 30-4.4 describes the criteria for evaluating classroom teachers

and building principals on the NYS Teaching and Leadership Standards. The new law requires teachers and principals to be evaluated on each of the applicable standards using multiple measures. This section clarifies that:

- Probationary teachers and principals shall be evaluated on each standard annually and are to receive an overall rating on an annual basis.
- Tenured teachers and principals may be evaluated on each standard across a cycle, including evaluation on a subset of standards in each year of the cycle.
- Tenured teachers and principals may receive an overall rating on an evaluation cycle, provided that cycle is no longer than three years.

In determining the multiple measures that will be used within an LEA, this section creates the following requirements:

- Required Observations/School Visits Measure: LEAs shall perform more than one classroom observation/school visit for all teachers and principals on an annual basis, except that tenured teachers and principals may have multiple classroom observations/school visits across their evaluation cycle.
- Additional Measures: LEAs shall select at least one additional measure to evaluate the Teaching and Leadership Standards. These include:
  - o Portfolios
  - o Surveys and Feedback
  - o Goal Setting and Attainment
  - o Student Outcome Data, such as Student Growth Goals, IEP Goals to Evaluate Teacher’s Contribution to Student Growth, Student Achievement Goals, Performance Index, Statistical Growth Measures, and Student Portfolios
  - o Teacher/Principal Projects
  - o Other LEA-developed Measure

It further clarifies that one measure may be used to address more than one teaching or leadership standard, provided that there is at least one measure to evaluate each NYS Teaching and Leadership Standard, and each teacher’s or principal’s evaluation consists of two or more measures.

Section 30-4.5 describes the criteria for scoring the standards and determining an overall rating. The law requires that each NYS Teaching and Leadership Standard be scored on a scale of 1-4 and an overall rating of 1-4 be assigned based on the scores received for each of the standards, consistent with the LEA’s expectations for teaching and learning and the following requirements:

- Level 1 shall indicate performance significantly below an LEA’s expectations aligned to teaching/leadership standards;
- Level 2 shall indicate performance that partially meets an LEA’s expectations aligned to teaching/leadership standards;
- Level 3 shall indicate performance that meets an LEA’s expectations aligned to teaching/leadership standards; and
- Level 4 shall indicate performance that exceeds an LEA’s expectations aligned to teaching/leadership standards.

It further clarifies that LEAs may weight standards at negotiated values based on local expectations of teaching, leadership, and student learning.

Section 30-4.6 sets the training requirements for all evaluators, which includes certain prescribed elements relating to the standards, observation techniques, bias elimination, inter-rater reliability, use of rubrics and other tools, if applicable, scoring methodology as determined by the LEA, and specific considerations for observing educators based on their specific context.

Section 30-4.7 clarifies the requirement for all teachers and principals to have a formal professional development system pursuant to Education Law § 3012-e(5)(a)(7). It further addresses the requirement that the superintendent shall develop personalized teacher/principal support plans for educators receiving an overall rating of Level 1 or 2.

Section 30-4.8 clarifies the requirement that LEAs shall train all teachers, principals, and evaluators in order to build engagement and participation among teachers, building principals and administrators with the STEPS plan pursuant to Education Law § 3012-e(5)(d)(6).

Section 30-4.9 clarifies the requirement that LEAs have a process in place for each teacher and principal to provide written comment on their STEPS plan evaluation.

Section 30-4.10 clarifies that the purpose of the STEPS plan is to provide feedback and recommendations to support teacher and principal growth.

Section 30-4.11 addresses the requirement that LEAs shall annually submit data for each standard evaluated and overall ratings, if applicable.

Section 30-4.12 provides for the severability of each section of the new Subpart.

**6. PAPERWORK:**

Section 30-4.11 of the proposed rule requires that each LEA submit to the Commissioner the ratings for each classroom teacher and building principal on each applicable teaching and leadership standard, as well as the overall rating for each teacher and principal, where available.

**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 the statutory requirements of Chapter 143 which requires the Commissioner to adopt regulations necessary to implement the new evaluation system established pursuant to Education Law § 3012-d. There are no significant alternatives to the proposed rule and none were considered.

**9. FEDERAL STANDARDS:**

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

**10. COMPLIANCE SCHEDULE:**

The proposed rule took effect as an emergency rule on November 5, 2024. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the March 2025 meeting. If adopted at the March 2025 Regents meeting, the proposed amendment will become effective as a permanent rule on March 26, 2025. It is anticipated that the regulated parties will be able to comply with the proposed rule by the effective date as LEAs may continue to implement and modify their current evaluation systems under Education Law § 3012-d through the 2031-2032 school year. LEAs have until June 30, 2032, to adopt their STEPS plan.

**Regulatory Flexibility Analysis**

**(a) Small Businesses:**

The purpose of the proposed rule is to implement Chapter 143 of the Laws of 2024 (“Chapter 143”), amending, among other provisions, Education Law § 3012-d, which currently governs annual teacher and principal evaluations. This law also established Education Law § 3012-e, a new framework for locally designed systems of evaluation and professional growth.

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

**(b) Local Governments:**

**1. EFFECT OF RULE:**

The proposed rule applies to each of the 731 public school districts in the State.

**2. COMPLIANCE REQUIREMENTS:**

The proposed rule amends sections 30-3.4 and 30-3.5 to provide that LEAs using district-, school-, or program-wide measures for the student performance component a three-year window to move to a team, linked, or individual and teacher-specific measure for all teachers and principals.

The proposed rule adds a new Subpart 30-4 which prescribes requirements for LEAs to implement the new evaluation system as established by Education Law § 3012-e, as follows:

Section 30-4.1 provides that STEPS plans are subject to collective bargaining to the extent required by Education Law § 3012-e and must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart. Additionally, it clarifies that STEPS plans may be conducted beginning with the 2024-2025 school year; however, all evaluations must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart beginning with the 2032-2033 school year. It further clarifies that the goal of the STEPS plan is to support the professional learning of all teachers and building principals, and that the STEPS plan shall be a significant factor in teacher and principal development, including but not limited to coaching, induction support, and differentiated professional development for all teachers and principals.

Section 30-4.3 prescribes the requirements for STEPS plans submitted under the new Subpart, which includes applicability, timelines, and the contents of the plan.

Section 30-4.4 describes the criteria for evaluating classroom teachers and building principals on the NYS Teaching and Leadership Standards. The new law requires teachers and principals to be evaluated on each of the applicable standards using multiple measures. This section clarifies that:

- Probationary teachers and principals shall be evaluated on each standard annually and are to receive an overall rating on an annual basis.
- Tenured teachers and principals may be evaluated on each standard across a cycle, including evaluation on a subset of standards in each year of the cycle.
- Tenured teachers and principals may receive an overall rating on an evaluation cycle, provided that cycle is no longer than three years.

In determining the multiple measures that will be used within an LEA, this section creates the following requirements:



- Required Observations/School Visits Measure: LEAs shall perform more than one classroom observation/school visit for all teachers and principals on an annual basis, except that tenured teachers and principals may have multiple classroom observations/school visits across their evaluation cycle.

- Additional Measures: LEAs shall select at least one additional measure to evaluate the Teaching and Leadership Standards. These include:
  - o Portfolios
  - o Surveys and Feedback
  - o Goal Setting and Attainment
  - o Student Outcome Data, such as Student Growth Goals, IEP Goals to Evaluate Teacher's Contribution to Student Growth, Student Achievement Goals, Performance Index, Statistical Growth Measures, and Student Portfolios
  - o Teacher/Principal Projects
  - o Other LEA-developed Measure

It further clarifies that one measure may be used to address more than one teaching or leadership standard, provided that there is at least one measure to evaluate each NYS Teaching and Leadership Standard, and each teacher's or principal's evaluation consists of two or more measures.

Section 30-4.5 describes the criteria for scoring the standards and determining an overall rating. The law requires that each NYS Teaching and Leadership Standard be scored on a scale of 1-4 and an overall rating of 1-4 be assigned based on the scores received for each of the standards, consistent with the LEA's expectations for teaching and learning and the following requirements:

- Level 1 shall indicate performance significantly below an LEA's expectations aligned to teaching/leadership standards;
- Level 2 shall indicate performance that partially meets an LEA's expectations aligned to teaching/leadership standards;
- Level 3 shall indicate performance that meets an LEA's expectations aligned to teaching/leadership standards; and
- Level 4 shall indicate performance that exceeds an LEA's expectations aligned to teaching/leadership standards.

It further clarifies that LEAs may weight standards at negotiated values based on local expectations of teaching, leadership, and student learning.

Section 30-4.6 sets the training requirements for all evaluators, which includes certain prescribed elements relating to the standards, observation techniques, bias elimination, inter-rater reliability, use of rubrics and other tools, if applicable, scoring methodology as determined by the LEA, and specific considerations for observing educators based on their specific context.

Section 30-4.7 clarifies the requirement for all teachers and principals to have a formal professional development system pursuant to Education Law § 3012-e(5)(a)(7). It further addresses the requirement that the superintendent shall develop personalized teacher/principal support plans for educators receiving an overall rating of Level 1 or 2.

Section 30-4.8 clarifies the requirement that LEAs shall train all teachers, principals, and evaluators in order to build engagement and participation among teachers, building principals and administrators with the STEPS plan pursuant to Education Law § 3012-e(5)(d)(6).

Section 30-4.9 clarifies the requirement that LEAs have a process in place for each teacher and principal to provide written comment on their STEPS plan evaluation.

Section 30-4.10 clarifies that the purpose of the STEPS plan is to provide feedback and recommendations to support teacher and principal growth.

Section 30-4.11 addresses the requirement that LEAs shall annually submit data for each standard evaluated and overall ratings, if applicable.

Section 30-4.12 provides for the severability of each section of the new Subpart.

### 3. PROFESSIONAL SERVICES:

The proposed rule does not impose any professional service requirements.

### 4. COMPLIANCE COSTS:

The proposed rule does not impose any costs beyond those imposed by Chapter 143.

### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional technological requirements on school districts. Economic feasibility is addressed under the Compliance Costs section above.

### 6. MINIMIZING ADVERSE IMPACT:

The purpose of the proposed rule is to implement Chapter 143, which establishes a new framework for locally designed systems of evaluation and profession and professional growth as described above. It is evident that the proposed rule will not have any adverse economic impact on local governments, therefore differing approaches as prescribed in SAPA § 202-b(1) were not considered.

### 7. LOCAL GOVERNMENT PARTICIPATION:

A copy of the proposed rule has been shared with school districts

through the offices of the district superintendents of each supervisory district in the State and with the chief school officers of the five big city school districts for review and comment. It has also been shared with the New York State United Teachers (NYSUT), the School Administrators Association of New York State (SAANYS), and the New York State Council of School Superintendents (NYSCOSS) for review and comment.

### Rural Area Flexibility Analysis

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

The proposed rule will apply to school districts and boards of cooperative educational services (BOCES), including those located in the 44 counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square miles or less.

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

The proposed rule amends sections 30-3.4 and 30-3.5 to provide that LEAs using district-, school-, or program-wide measures for the student performance component a three-year window to move to a team, linked, or individual and teacher-specific measure for all teachers and principals.

The proposed rule adds a new Subpart 30-4 which prescribes requirements for LEAs to implement the new evaluation system as established by Education Law § 3012-e, as follows:

Section 30-4.1 provides that STEPS plans are subject to collective bargaining to the extent required by Education Law § 3012-e and must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart. Additionally, it clarifies that STEPS plans may be conducted beginning with the 2024-2025 school year; however, all evaluations must be conducted in accordance with the requirements of Education Law § 3012-e and the new Subpart beginning with the 2032-2033 school year. It further clarifies that the goal of the STEPS plan is to support the professional learning of all teachers and building principals, and that the STEPS plan shall be a significant factor in teacher and principal development, including but not limited to coaching, induction support, and differentiated professional development for all teachers and principals.

Section 30-4.3 prescribes the requirements for STEPS plans submitted under the new Subpart, which includes applicability, timelines, and the contents of the plan.

Section 30-4.4 describes the criteria for evaluating classroom teachers and building principals on the NYS Teaching and Leadership Standards. The new law requires teachers and principals to be evaluated on each of the applicable standards using multiple measures. This section clarifies that:

- Probationary teachers and principals shall be evaluated on each standard annually and are to receive an overall rating on an annual basis.
- Tenured teachers and principals may be evaluated on each standard across a cycle, including evaluation on a subset of standards in each year of the cycle.
- Tenured teachers and principals may receive an overall rating on an evaluation cycle, provided that cycle is no longer than three years.

In determining the multiple measures that will be used within an LEA, this section creates the following requirements:

- Required Observations/School Visits Measure: LEAs shall perform more than one classroom observation/school visit for all teachers and principals on an annual basis, except that tenured teachers and principals may have multiple classroom observations/school visits across their evaluation cycle.

- Additional Measures: LEAs shall select at least one additional measure to evaluate the Teaching and Leadership Standards. These include:

- o Portfolios
- o Surveys and Feedback
- o Goal Setting and Attainment
- o Student Outcome Data, such as Student Growth Goals, IEP Goals to Evaluate Teacher's Contribution to Student Growth, Student Achievement Goals, Performance Index, Statistical Growth Measures, and Student Portfolios
- o Teacher/Principal Projects
- o Other LEA-developed Measure

It further clarifies that one measure may be used to address more than one teaching or leadership standard, provided that there is at least one measure to evaluate each NYS Teaching and Leadership Standard, and each teacher's or principal's evaluation consists of two or more measures.

Section 30-4.5 describes the criteria for scoring the standards and determining an overall rating. The law requires that each NYS Teaching and Leadership Standard be scored on a scale of 1-4 and an overall rating of 1-4 be assigned based on the scores received for each of the standards, consistent with the LEA's expectations for teaching and learning and the following requirements:

- Level 1 shall indicate performance significantly below an LEA's expectations aligned to teaching/leadership standards;
- Level 2 shall indicate performance that partially meets an LEA's expectations aligned to teaching/leadership standards;

- Level 3 shall indicate performance that meets an LEA's expectations aligned to teaching/leadership standards; and
- Level 4 shall indicate performance that exceeds an LEA's expectations aligned to teaching/leadership standards.

It further clarifies that LEAs may weight standards at negotiated values based on local expectations of teaching, leadership, and student learning.

Section 30-4.6 sets the training requirements for all evaluators, which includes certain prescribed elements relating to the standards, observation techniques, bias elimination, inter-rater reliability, use of rubrics and other tools, if applicable, scoring methodology as determined by the LEA, and specific considerations for observing educators based on their specific context.

Section 30-4.7 clarifies the requirement for all teachers and principals to have a formal professional development system pursuant to Education Law § 3012-e(5)(a)(7). It further addresses the requirement that the superintendent shall develop personalized teacher/principal support plans for educators receiving an overall rating of Level 1 or 2.

Section 30-4.8 clarifies the requirement that LEAs shall train all teachers, principals, and evaluators in order to build engagement and participation among teachers, building principals and administrators with the STEPS plan pursuant to Education Law § 3012-e(5)(d)(6).

Section 30-4.9 clarifies the requirement that LEAs have a process in place for each teacher and principal to provide written comment on their STEPS plan evaluation.

Section 30-4.10 clarifies that the purpose of the STEPS plan is to provide feedback and recommendations to support teacher and principal growth.

Section 30-4.11 addresses the requirement that LEAs shall annually submit data for each standard evaluated and overall ratings, if applicable.

Section 30-4.12 provides for the severability of each section of the new Subpart.

**3. COSTS:**

The proposed rule does not impose any costs on regulated parties, including those located in rural areas, beyond those imposed by statute.

**4. MINIMIZING ADVERSE IMPACT:**

Because the statutory requirement applies to all school districts and BOCES in the State, it is not possible to establish differing compliance or reporting requirements or timetables or to exempt schools in rural areas from coverage by the proposed amendment. Therefore, alternative approaches for regulated parties located in rural areas were not considered.

**5. RURAL AREA PARTICIPATION:**

A copy of the proposed rule has been shared with school districts through the offices of the district superintendents of each supervisory district in the State and with the chief school officers of the five big city school districts, including those located in rural areas, for review and comment. It has also been shared with NYSUT, SAANYS, and NYSCOSS for review and comment, which have members located in rural areas.

**Job Impact Statement**

The purpose of the proposed rule is to implement Chapter 143 of the Laws of 2024, amending, among other provisions, Education Law § 3012-d, which currently governs annual teacher and principal evaluations. This law also established Education Law § 3012-e, a new framework for locally designed systems of evaluation and professional growth.

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

**NOTICE OF ADOPTION**

**Completion of the Free Application for Federal Student Aid (FAFSA) by Seniors Enrolled in School Districts**

**I.D. No.** EDU-31-24-00004-A

**Filing No.** 955

**Filing Date:** 2024-11-05

**Effective Date:** 2024-11-20

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

**Action taken:** Amendment of section 100.2 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 305; L. 2024, ch. 56, Part C, section 1

**Subject:** Completion of the free application for Federal Student Aid (FAFSA) by seniors enrolled in school districts.

**Purpose:** To implement section 1 of Part C of chapter 56 of the Laws of 2024.

**Text or summary was published** in the July 31, 2024 issue of the Register, I.D. No. EDU-31-24-00004-EP.

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

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

**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**

**1. COMMENT:**

One commenter expressed concerns about distributing information relating to the DREAM Act or applications for the DREAM Act. The commenter's concerns include (1) the potential liability of school districts for distributing the application if it is interpreted as providing legal advice or if the recipient does not properly understand the applications; (2) distributing DREAM Act applications could result in students having their privacy compromised as it could inadvertently expose undocumented student's status; (3) the process for applying for aid pursuant to the DREAM Act is sensitive and complex, and widespread distribution of applications could result in unwanted exposure and trauma to an affected student if the application is disclosed; (4) potentially inconsistent implementation across the state in how students receive the materials and the message tied to the DREAM Act application; and (5) the fact that parents and guardians of students with evolving immigration status should be the ultimate decision-makers in whether to fill out a DREAM Act application.

**DEPARTMENT RESPONSE:**

While the Department appreciates the commenter's concerns, the Department believes that the proposed rule as currently drafted is necessary to implement Part C of Chapter 56 of the Laws of 2024 ("Part C"). Part C requires, in part, that school districts ensure verification from parents/guardians that a student either completed the Free Application for Federal Student Aid (FAFSA) or, if applicable, the (DREAM) Act application. The proposed rule is consistent with this statutory requirement. Additionally, the provision of information to high school seniors related to state-sponsored scholarships and financial aid, as well as assisting students with such applications, does not constitute legal advice. Similarly, the Department does not anticipate that distributing applications would lead to a breach of privacy, and students and their parents/guardians remain the ultimate decision-makers regarding submissions of the FAFSA and DREAM Act applications. Therefore, no change to the proposed rule is needed.

**2. COMMENT:**

A commenter, a superintendent of a school district, questioned why schools are responsible for what parents do regarding the FAFSA, opining that it should not be a school district's function to ensure "that everyone fills out things they either want to or not." The commenter opined that guidance counselors have more important social-emotional tasks to deal with and that the state should not continue to burden school districts with additional duties.

**DEPARTMENT RESPONSE:**

The proposed rule is consistent with and necessary to implement the new statutory requirements. Additionally, while the proposed rule requires districts to be more proactive to ensure FAFSA/DREAM Act completion and data collection and reporting, there is a concerted effort on behalf of the Department, as well as other stakeholders, to assist in meeting these requirements. Guidance distributed to districts includes links to resources such as the Higher Education Serves Corporation's (HESC's) FAFSA Ready page, which offers training, webinars, and toolkits for counselors; HESC's FAFSA Completion Initiative, which facilitates data sharing on FAFSA completion; and information and links to training and workshops provided by SUNY, CUNY, and independent colleges. No changes to the proposed rule are needed.

**NOTICE OF ADOPTION**

**Extending Flexibility for Incidental Teaching**

**I.D. No.** EDU-31-24-00005-A

**Filing No.** 951

**Filing Date:** 2024-11-05

**Effective Date:** 2024-11-20

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

**Action taken:** Amendment of section 80-5.3 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

**Subject:** Extending Flexibility for Incidental Teaching.

**Purpose:** To increase the amount of incidental teaching permitted in schools from up to five classroom hours a week to up to 10 classroom hours a week. This amendment helped school districts address staffing challenges related to and exacerbated by the COVID-19 pandemic. Through incidental teaching, certified teachers can teach a subject not covered by their certificate when the school district determines that no certified or qualified teachers are available.

**Text or summary was published** in the July 31, 2024 issue of the Register, I.D. No. EDU-31-24-00005-EP.

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

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

#### Initial Review of Rule

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

#### Assessment of Public Comment

The agency received no public comment.

### NOTICE OF ADOPTION

#### Flexibilities for Supplementary Certificate/Supplementary Bilingual Education Extension Requirements

**I.D. No.** EDU-31-24-00006-A

**Filing No.** 953

**Filing Date:** 2024-11-05

**Effective Date:** 2024-11-20

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

**Action taken:** Amendment of sections 80-2.9, 80-4.3 and 80-5.18 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

**Subject:** Flexibilities for supplementary certificate/supplementary bilingual education extension requirements.

**Purpose:** To extend flexibility for the Supplementary Bilingual Education Extension requirements in response to the influx of recently arrived and asylum-seeking students through August 31, 2025.

**Text or summary was published** in the July 31, 2024 issue of the Register, I.D. No. EDU-31-24-00006-EP.

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

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

#### Initial Review of Rule

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

#### Assessment of Public Comment

The agency received no public comment.

### NOTICE OF ADOPTION

#### Extending the Validity Period of Emergency COVID-19 Certificates

**I.D. No.** EDU-31-24-00008-A

**Filing No.** 952

**Filing Date:** 2024-11-05

**Effective Date:** 2024-11-20

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

**Action taken:** Amendment of section 80-5.27 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 305, 3001, 3004 and 3009

**Subject:** Extending the validity period of Emergency COVID-19 certificates.

**Purpose:** To extend the expiration date of any currently valid Emergency COVID-19 certificates by one additional year to August 31, 2025, allowing candidates extra time to complete the examination requirement(s) for their certificate and progress to the next level certificate.

**Text or summary was published** in the July 31, 2024 issue of the Register, I.D. No. EDU-31-24-00008-EP.

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

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

#### Initial Review of Rule

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

#### Assessment of Public Comment

The agency received no public comment.

## Department of Environmental Conservation

### PROPOSED RULE MAKING HEARING(S) SCHEDULED

#### Forest Tax Law

**I.D. No.** ENV-47-24-00003-P

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

**Proposed Action:** Amendment of Part 199 of Title 6 NYCRR.

**Statutory authority:** Real Property Tax Law, section 480-a

**Subject:** Forest Tax Law.

**Purpose:** Improving and sustainably managing New York's forest resources and lessening the administrative burden on participants/DEC staff.

**Public hearing(s) will be held at:** 2:00 p.m., Jan. 21, 2025 at via electronic webinar. Webinar Number: 2829 295 2350, webinar password: Welcome1, join by phone only: Call (415) 527-5035, enter access code 2829 295 2350 and password 93526631, Registration Link: <https://meetny.gov/webex.com/weblink/register/r33497d551f93827018aad53246c540bf>; 6:00 p.m., Jan. 21, 2025 at via electronic webinar. Webinar number: 2825 240 2648, webinar password: Welcome1, join by phone only: Call (415) 527-5035, enter access code 2825 240 2648 and password 93526631, Registration Link: <https://meetny.gov/webex.com/weblink/register/r64c79b5aec18aee685330b2815feeb79>

When you register, you will be asked whether you wish to make a public statement. Once registration is complete, you will receive an email confirmation regarding how to join the hearing. All participants will be muted upon entry into the hearing. Speakers will be called in the order they registered, with elected officials being called first. The ALJ may restrict the time available to ensure that all persons will have an opportunity to be heard or other reasonable arrangements have been made to include their comments in the record. It is recommended that lengthy comments be submitted in writing. Equal weight will be given to both oral and written comments. The hearing will be recorded for inclusion in the record.

Interpreter and translation services shall be made available to deaf persons and persons with limited English proficiency at no cost. Requests must be received 10 calendar days before the meeting, 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 by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), e-mail (language@dec.ny.gov), or phone (518) 402-8028.

The public comment period on the rule making concludes on January 27th, 2025 and comment must be submitted to DEC Staff Contact below. Written comments sent by mail must be postmarked no later than January 27th, 2025. Comments sent via email must be received by 5 p.m. on January 27th 2025.



**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/lands-forests-revisions>):** 6 NYCRR Part 199 will be amended as follows:

Amend subdivision 199.1(o) by defining the term “forester” to mean an individual who has earned an associate’s or higher degree in a program recognized by the Society of American Foresters, or who possesses qualifications for the practice of forestry essentially equivalent to those possessed by a graduate of a school of forestry in a degree program recognized by the Society of American Foresters.

Amend subdivision 199.1(p) by clarifying that the requirement for forest land to contain at least 500 stems per acre or 60 square feet of basal area shall apply at the time of initial enrollment in the program only.

Add new subdivision 199.1(r) to define the term “high grading” as the removal of the most commercially valuable trees (by reason of size, quality or species) at the expense of future growth, often leaving a residual stand composed of trees of poor condition or species composition which is not consistent with environmentally and economically sound silvicultural practices.

Re-number subdivision 199.1(r) as subdivision 199.1(s).

Re-number subdivision 199.1(s) as 199.1(t) and amend it by: clarifying that the owner of an enrolled property has the discretion to designate the merchantable forest crop for production in the period covered by the management plan; clarifying the language defining such products, and specifying that other tangible wood products, maple sap, and carbon credits are not considered merchantable forest crops for the purposes of Part 199.

Re-number subdivisions 199.1(t), 199.1(u), 199.1(v) and 199.1(w) to subdivisions 199.1(u), 199.1(v), 199.1(w) and 199.1(x), respectively.

Re-number subdivision 199.1(x) to subdivision 199.1(y) and amend it by: clarifying that a stand must be at least one contiguous acre in size, and clarifying that hedgerows, shelterbelts, wind breaks, and other non-forest tree assemblages shall not be considered stands.

Re-number subdivisions 199.1(y), 199.1(z) and 199.1(aa) to subdivisions 199.1(z), 199.1(aa) and 199.1(ab), respectively.

Amend subdivision 199.5(b) by: reducing the number of copies of the management plan required to be submitted from two to one, and adding a requirement that completed applications must include a signed attestation certifying that the owner has reviewed the requirements of the program with the regional forester or their designee and has had the opportunity to ask questions and request clarification of said requirements.

Amend subdivision 199.5(c) by: clarifying that the owner must mark the property boundary lines defining the committed acreage and lines designating eligible noncommitted acreage of eligible tracts submitted for certification, and deleting language allowing fences, stone walls, and posters to be used as boundary line marking. Adding that a boundary needs to be marked at least every ten years or when the committed acres change or if the boundary becomes unrecognizable.

Amending subdivision 199.5(e) and subdivision 199.5(f) to set a new application and update deadline of September first of the year preceding the first eligible taxable status date for enrollment. The review period will also increase from 60 to 90 days to allow Department of Environmental Conservation (Department) staff sufficient time for a thorough review prior to enrollment and more time for the landowners to correct errors before the taxable status date.

Amend subdivision 199.5(g) by: specifying that all certificates of approval issued by the Department shall include the approved work schedule found in the approved management plan and shall also be incorporated into and become part of the approved management plan. Current regulations do not provide the Department a means of ensuring that a prescription is followed as approved.

Move the requirement for lands from which a merchantable forest crop has been cut or removed within three years prior to the time of application from subdivision 199.6(a)(9) to subdivision 199.5(h).

Adding subdivision 199.5(i) by: stating the Department shall not certify the owners’ annual commitment to forest crop production and shall notify the local assessor, if the owner fails to complete the work scheduled in the approved forest management plan by the taxable status date in the year the work is scheduled.

Amend subdivision 199.6(a) by: deleting the list of elements required to be included in an approved management plan and replacing it with a requirement that approved management plans be written using a template

provided by the Department, which will include all the necessary plan elements, and; changing the length of the required work schedule from 15 years to 20 years.

Amend subdivision 199.6(b) by: adding the requirement that any cutting prescriptions submitted to and approved by the Department pursuant to subdivision 199.7(b) of this Part shall be incorporated into and become part of the approved management plan and; adding silvicultural data required in a prescription.

Amend subdivision 199.6(c) by: clarifying that for the purposes of the Forest Tax Law program, the Department can reject prescriptions for unacceptable forestry practices including high grading and; deleting the duplicative requirement that noncommercial cuttings scheduled for an eligible tract be completed during the year in which they are scheduled.

Amend subdivision 199.6(d) by clarifying that grazing or otherwise integrating domestic animals in forest management systems is allowable on all committed acres if it is listed as a treatment in an approved prescription. Existing regulations prohibit grazing on committed acres.

Adding subdivision 199.6(e) to establish a requirement for foresters submitting management plans, plan amendments, status and activity reports, or prescriptions under 480-a to complete a Department training and a refresher training every five years.

Adding subdivision 199.6(f) to requiring owners to submit a georeferenced shapefile or equivalent digital vector storage file for displaying property boundaries of eligible committed and eligible noncommitted acreage. Geospatial mapping programs are readily available and will help improve the accuracy of submitted maps.

Amend subdivision 199.7(b)(1) by adding the requirement that any notice of commercial harvest cutting must list all stands to be harvested and include a cutting prescription prepared by a forester for each stand to be treated in said harvest.

Amend subdivision 199.7(b)(2) by: clarifying the Department shall approve or reject cutting prescriptions; specifying that certification of stumpage value is to take place upon approval of such prescription.

Amending subdivision 199.8(c) to clarify that noncommercial work must be conducted one year from the date the Department gives the owner notice.

Amend subdivision 199.8 by: adding new subdivision (e), requiring updated work schedules to include treatments to establish regeneration in stands that have undergone a natural or human disturbance; allowing landowners to withdraw stands from commitment without penalty if the landowner has complied with the approved management plan but has failed to establish sufficient regeneration of commercial species and; specifying that failure to implement the approved management plan regarding treatments intended to establish forest regeneration shall result in revocation pursuant to subdivision 199.10(c) of this Part.

Amend subdivision 199.9(a) by: clarifying that in addition to being extended or amended by filing a written request with the Department, an approved management plan may also be updated by the same procedure and extending the amount of time in which the Department will determine the acceptability of the proposed change and inform the owner of its determination from ten days to 30 days of receipt of the request.

Amend subdivision 199.9(c) by: extending the period between required management plan updates from five years to ten years.

Add new subdivision 199.9(d) to require owners of enrolled properties to submit a status and activity report of material changes to such properties on September first of the fifth calendar year, and every 10 years thereafter during which the properties are enrolled, using forms supplied by the Department.

Amend subdivision 199.10(f) to clarify that enrolled parcels may be revoked without penalty if it is determined that the parcel is not eligible and was enrolled in error. Existing regulations are silent on the treatment of parcels enrolled in error.

Add new subdivision 199.10(g) to clarify that no penalty shall be assessed to the owner if an acreage correction results in the reduction of eligible acres.

**Text of proposed rule and any required statements and analyses may be obtained from:** Jason Drobnack, NYS DEC, 625 Broadway, Albany, NY 12233, (518) 402-9428, email: [jason.drobnack@dec.ny.gov](mailto:jason.drobnack@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:** A Short EAF was prepared in compliance with Article 8 of the ECL.

#### **Regulatory Impact Statement**

##### **1. Statutory authority:**

Real Property Tax Law (“RPTL”) § 480-a related to taxation of forest land authorizes the Department of Environmental Conservation (Department) to, after public hearings, adopt and promulgate rules and regulations necessary to implement the provisions of RPTL § 480-a.



## 2. Legislative objectives:

RPTL § 480-a and the implementing regulations, 6 NYCRR Part 199 ("Part 199") were initially adopted in 1976 to provide tax relief to qualifying landowners to encourage long-term private ownership of woodlands to produce forest crops and thereby increase the likelihood of a stable forest economy. The Part 199 regulations have not been significantly updated since their adoption 50 years ago. The proposed Part 199 amendments intend to improve and sustainably manage New York's forest resources while lessening the administrative burden placed on participating landowners and Department staff. The primary objectives of this amendment are to respond to public feedback by (1) improving the efficiency of the program for both Department staff and program participants and (2) improving the effectiveness of the program.

## 3. Needs and benefits:

The Department first initiated efforts to update and revise Part 199 by publishing a Notice of Proposed Rulemaking in the State Register on July 13, 2022. The Department received significant public comment on the proposed rulemaking, which expired on September 13, 2023. This Notice of Proposed Rulemaking builds upon the comments received to improve program efficiency and efficacy.

The proposed amendments are intended to alleviate burdensome requirements and increasing administrative efficiency for both participants and Department staff.

## Revisions include the following:

Amending subdivision 199.1(o) to clarify and update the definition of a forester to avoid unintentionally disqualifying individuals who are qualified to practice forestry. This will result in quicker determinations of an individual's qualifications by the Department.

Amending subdivision 199.1(p) to clarify that stocking requirements for eligibility are evaluated only at initial enrollment. Misinterpretation of this subdivision has led to unnecessary and incorrect enforcement action possibly including the improper removal of eligible acreage.

Clarification of subdivision 199.1(t) to broaden the definition of merchantable forest crop to allow for wood-based commodities unnamed in the regulations and to not include non-wood forest products, such as carbon credits.

Amending subdivision 199.1(y), to define the minimum size of stand for forest typing purposes and clarify that some tree assemblages are not considered stands and cannot be enrolled because it is impractical to produce a timber crop from them due to size, shape, or purpose.

Amending subdivision 199.5(b) to require a signed attestation certifying that the owner has reviewed the requirements of the program with a Department forester. This will keep the landowner informed of program requirements and reduce compliance issues. To increase efficiency, this amendment also allows just one copy of the management plan to be submitted and allows plans to be drafted under the direct supervision of a forester.

Amending subdivision 199.5(c) to set statewide parameters for landowners to mark boundary lines by requiring them to be marked with paint every ten years or when the boundary is no longer recognizable or representative of the certified acreage. Natural and constructed features are not required to be marked if features are identified as the boundary in the deed or other legal documents and easily recognizable as the boundaries. This will help eliminate regional differences in enforcing the boundary line provision and sets clear expectations for landowners.

Amending subdivision 199.5(e) and subdivision 199.5(f) to set a new application and update deadline of September first of the year preceding the first eligible taxable status date for enrollment. The review period will also increase from 60 to 90 days to allow Department staff sufficient time for a thorough review prior to enrollment and more time for the landowners to correct errors before the taxable status date.

Amending subdivision 199.5(g) to clarify all certificates of approval issued by the Department shall require compliance with the approved management plan and shall include the approved work schedule found in the approved management plan. The certificate of approval shall also be incorporated into and become part of the approved management plan.

Amending subdivision 199.5(h) to move from 199.6(a) and to clarify the language stating that eligible forest land cannot be enrolled less than three years after a harvest unless the harvest was conducted under a forest management program. This is necessary to prevent landowners from enrolling and benefitting from tax savings immediately after conducting an unsustainable harvest.

Adding new subdivision 199.5(i) to clarify the Department's authority under RPTL 480-a (3)(a)(iii) to decline to certify an owners' annual commitment if non-compliances are found and to notify the local assessor. This will allow an owner to get into compliance without immediately facing severe penalties for minor infractions of the law or regulations. This new subdivision will improve efficiency by reducing the amount of Department resources dedicated to the violation process for minor issues.

Amending subdivision 199.6(a) to extend the term of the forest manage-

ment plan from one 15-year work annualized schedule to a 20-year schedule broken into two 10-year flexible work periods. This will allow landowners to complete work anytime within each period and increase efficiency by reducing the frequency of amendments. The proposed amendment revises subdivision 199.6(a) to remove 199.6(a) 1 through 10, the listing of plan elements, from the regulations and requires the use of a template for forest management plans. This approved template will provide clear guidance to consulting foresters on what is an acceptable plan and allow staff to review plans more efficiently.

Amending subdivision 199.6(e) to establish a management plan and cutting prescription preparers training requirement. Landowners are reliant on the advice and skill of a consultant forester to comply with many of the forestry provisions of the Forest Tax Law. The Department is proposing to create a training requirement for consulting foresters working under Forest Tax Law on the behalf of the landowner. This training sets standards for how management plans and prescriptions should be written under Forest Tax Law. This will reduce the number of management plans that are rejected by the Department, thereby increasing efficiency for both the Department and for program participants.

Adding subdivision 199.6(f) to require a georeferenced shapefile or equivalent as part of the forest management plan. This provision will help increase the accuracy of enrolled forest lands and allow staff a more efficient means of confirming enrolled acres.

Amending subdivision 199.8(c) to clarify that landowners have one year from the date the Department notifies them to complete scheduled noncommercial cutting. This sets clear expectations for when landowners are required to complete this work.

Amending subdivision 199.9(c) to extend the required management plan update from five to ten years will eliminate unnecessary data collection and provide efficiencies for participating landowners. Proposed subdivision 199.9(d) requires landowners to provide a status and activity report to document material changes between full updates which will keep Department staff informed of substantive changes on the property, without requiring unnecessary field data collection.

Adding a new provision, subdivision 199.10(g) to clarify that the Department can remove committed acres due to remeasurement without penalty to provide consistent statewide enforcement and avoid unnecessary penalties.

RPTL 480-a is intended to incentivize enrollees to produce a merchantable forest crop consistent with environmentally and economically sound silvicultural practices. The proposed amendments to Part 199 are intended to improve forest sustainability through more stringent silvicultural practices by:

Amending section 199.1 by adding subdivision 199.1(r) to define high grading as the removal of the most commercially valuable trees at the expense of future growth, often leaving a residual stand composed of trees of poor condition or species composition. Proposed language to subdivision 199.6(c) now states that high grading is not an acceptable silvicultural practice the owner can select. This clarifies that unsustainable harvesting practices or prescriptions will not be accepted under Forest Tax Law.

Amending subdivision 199.6(b) so that any cutting prescriptions submitted to and approved by the Department pursuant to subdivision 199.7(b) shall be incorporated into and become part of the approved management plan. Deviation from the approved prescription is therefore a deviation from the approved plan.

Amending subdivision 199.6(d) to allow grazing by domestic animals for the purposes of treating interfering vegetation only under an approved prescription. This allows landowners to incorporate new methods of interfering vegetation control to help secure forest regeneration using domestic animals if the practice is incorporated into the approved forest management plan.

Amending subdivision 199.8(e) so that at the time of amending the management plan as required in subdivision 199.9(b), the work schedule shall be amended to include treatments to establish regeneration in stands that have undergone a natural or human disturbance, if the stand is not reoccupied with enough regeneration of commercial species to ensure future production of merchantable forest crops. This proposed provision establishes a requirement of the enrollee to attempt to regenerate stands within a reasonable, scientific time frame (ten years) with a provision to remedy a failure.

Outreach efforts were implemented from 2018 through 2020 to gather stakeholder input from enrolled and non-enrolled landowners, consulting foresters, Department field staff, as well as municipal officials. Eleven public meetings were held throughout the State in the winter and spring of 2019. Comments were taken at each meeting and received via email, letter and by phone. In addition, Department staff attended New York Society of American Foresters' annual meeting in January of 2019 and 2020 and received additional comments. As noted above, this proposed rulemaking builds upon the public feedback received on the proposed rulemaking in 2022. There will be an opportunity for the public to officially comment

again on the proposed rulemaking during the 60 day public comment period when the regulation appears in the New York State Register.

4. Costs:

The proposed revisions to Part 199 pursuant to the provisions of subdivision 199.8 (e) may increase costs to participating landowners by requiring them to secure forest regeneration through methods including deer control strategies or competing vegetation. However, such costs are offset by the long-term tax savings from enrollment in the program. The proposed amendments are intended to improve forestry outcomes and to lessen the administrative burden on current enrollees and the Department.

5. Local government mandates:

Real Property Tax Law 480-a provides tax relief to qualifying landowners in exchange for implementation of sustainable forest management. The proposed amendments to Part 199 change what is required of enrolled landowners; they do not impose any new or additional burdens on county clerks or local government officials.

6. Paperwork:

The proposed regulatory revisions will reduce paperwork requirements for Forest Tax Law program applicants and participants by extending the period between mandatory management plan updates from every five years to every ten years. A shorter status and activity report at five years will replace the requirement for a full five-year update.

7. Duplication:

The proposed regulatory revisions do not duplicate any existing State or Federal regulation.

8. Alternatives:

The no action alternative is not feasible and would not reflect the need to update the regulations to provide efficiencies for both the regulated community and the Department. One alternative to the proposed revisions would be a legislative amendment to allow comprehensive revisions to RPTL 480-a. This would allow for other regulatory amendments such as: lowering the minimum acreage requirement, revising the penalty structure, or requiring the landowner to be the primary manager for enrolled forest acreage for timber. These amendments would make the Forest Tax Law more attractive to landowners and thus increase enrollment, make the program more efficient and increase program benefits, however without legislative authorization the Department cannot make these amendments.

9. Federal standards:

There are no applicable Federal standards.

10. Compliance schedule:

It is anticipated that enrollees and new applicants will be able to comply with the amendments prior to the effective date of March 1, 2025, for the 2025 tax roll year.

**Regulatory Flexibility Analysis**

The proposed amendments to 6 NYCRR Part 199 will address improving and sustainably managing New York’s forest resources and lessening the administrative burden placed on participants and Department of Environmental Conservation staff. Real Property Tax Law 480-a provides tax relief to qualifying landowners in exchange for implementation of a sustainable forest management. The proposed amendments to Part 199 change what is required of enrolled landowners; they do not impose any new or additional burdens on county clerks or local government officials.

As a result, a Regulatory Flexibility Analysis for Small Businesses and Local Governments is not submitted with these regulations because the proposal will not impose any adverse economic impact or reporting, recordkeeping, or other compliance requirements on small businesses or local governments beyond those already required by Real Property Tax Law 480-a.

**Rural Area Flexibility Analysis**

The proposed amendments to 6 NYCRR Part 199 will address improving and sustainably managing New York’s forest resources and lessening the administrative burden placed on participants and Department of Environmental Conservation (Department) staff. The proposed amendments are intended to improve forestry outcomes and to lessen the administrative burden on current enrollees and the Department.

As a result, a Rural Area Flexibility Analysis is not submitted with these regulations because the proposal will not impose any additional reporting, record-keeping or other compliance requirements on rural areas.

**Job Impact Statement**

The proposed amendments to 6 NYCRR Part 199 will address improving and sustainably managing New York’s forest resources and lessening the administrative burden placed on participants and Department of Environmental Conservation (Department) staff. The proposed amendments are intended to improve forestry outcomes and to lessen the administrative burden on current enrollees and the Department.

As a result, a Job Impact Statement is not required and is not submitted because the proposal will have no substantial adverse impact on existing or future jobs and employment opportunities.

# Environmental Facilities Corporation

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

**CWSRF Program Co-Administered by DEC and the NYS Environmental Facilities Corporation (EFC)**

**I.D. No.** EFC-47-24-00009-P

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

**Proposed Action:** Repeal of section 649.13; addition of new section 649.13; amendment of section 649.16(a) of Title 6 NYCRR.

**Statutory authority:** Public Authorities Law, section 1285-j; L. 1989, ch. 565; Federal Water Pollution Control Act, 33 U.S.C., sections 1251, et seq

**Subject:** CWSRF program co-administered by DEC and the NYS Environmental Facilities Corporation (EFC).

**Purpose:** To update and modernize the priority ranking system scoring criteria for projects receiving financial assistance from CWSRF.

**Text of proposed rule:** Section 649.13 of Part 6 is repealed, and a new section 649.13 of Part 6 is added to read as follows:

*Section 649.13. Priority ranking system scoring criteria*

*The numerical scores in the priority ranking system for project categories A, B, C, D, E, F, and G are based on the following criteria:*

- A. Existing Pollutant.
- B. Water Quality.
- C. Consistency With Management Plan.
- D. Project Need.
- E. Financial Need (municipal projects only).
- F. Resiliency.
- G. Tie Breaking.

*The total numerical score for the project being scored shall be the sum of the scores for criteria A, B, C, D, E and F for municipal projects and criteria A, B, C, D and F for non-municipal projects. Project category G projects will be selected based upon criteria set forth in the IUP.*

*The project score will be based on information in the approvable facilities plan, engineering report, or other acceptable documentation. Projects without approvable facilities plans or engineering reports will be scored based on information from other sources and adjusted when a facilities plan or engineering report is determined to be approvable.*

*A. Existing Pollutant Criterion. The project receives a score based on whichever one of the factors (1-4) listed below best describes the pollutant associated with criterion B which may be resolved by the project.*

**Factor**

- |    |   |    |
|----|---|----|
| 1. | Waterbody not attaining water quality standards:  | 50 |
|    | a. A pollutant causing a waterbody’s best use(s) to be assessed as “impaired” as documented in the assessment factsheet for the waterbody or on the Clean Water Act, section 303(d) List of Impaired Waters occurring as a result of an untreated, partially treated, or intermittent point or nonpoint source. |    |
|    | b. A pollutant causing a surface and/or groundwater source to result in a documented restriction of use.  |    |
| 2. | Waterbody currently attaining water quality standards with potential impacts to water quality:  | 25 |
|    | a. A pollutant causing a waterbody’s best use(s) to be assessed as “stressed” as documented in the assessment for the waterbody occurring as a result of an untreated, partially treated, or intermittent point or nonpoint source.   |    |
|    | b. A pollutant causing a surface and/or groundwater source to result in a documented negative impact of use.  |    |

- 3. Waterbody attaining water quality standards or unassessed: 10
  - a. A waterbody's best use(s) is unassessed or assessed as "fully supporting" as documented in the assessment for the waterbody.
  - b. A point or nonpoint source project necessary to maintain or protect existing facilities or water quality.
- 4. Other: 5
 

A point or nonpoint pollutant project that was necessary to preserve, protect and/or improve surface and/or groundwater quality from a pollutant identified in factor 1, 2, or 3 of this criterion and which construction was complete as defined in section 649.2(a)(9) of this Part prior to being listed in a final IUP.
- 5. None of the above. 0

Points may be allocated under either A.1, A.2, A.3, A.4 or A.5.

**B. Water Quality Criterion (WQC).** The WQC is determined by the following two factors: 1) Classification Points Factor (CPF); and 2) Assessment Status (AS).

The points are modified depending upon the severity of impact on the best use of the receiving water and the potential for the proposed project to improve water quality.

The WQC is calculated using the following equation:  $WQC = CPF \times AS$ .

**1. Classification Points Factor (CPF).** Points are allotted to a project on the basis of State-assigned classification of the receiving water at the point of discharge, or where higher, the classification of downstream surface waters, the use of which is impacted or potentially impacted by the pollutant.

Classification	Points
A, A-Special, A(T), A(TS), AA, AA-Special, AA(T), AA(TS), SA,	8
B, SB, C(T) <sup>1</sup> , C(TS)	6
C <sup>2</sup> , SC, I	3
D, SD, GSB	2
Impact on resource which have important environmental quality impacts such as odor, sludge disposal, sewer maintenance equipment, etc. or for a project which received a score under factor 4 of A - Existing Source Criterion.	1
No resource is impacted.	0

**2. Assessment Status Factor (AS).** Points are allotted to a project based on the best use assessment of the waterbody segment or verifiable documentation of the surface water and/or groundwater impact.<sup>3</sup>

Assessment Status	Description	Points
Impaired/Restricted	Water quality standards are not attained and best use(s) are not supported.	6
Stressed/Impacted	Water quality standards are attained but data or information indicate a potential impact to best use(s).	3
None	Water quality standards are attained and best use(s) are supported.	1

**C. Consistency With Management Plan Criterion.**

Factor	Points
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- 1. A project: (a) where the outcome is expected to address a water quality problem or implement a solution identified in a department-developed or approved Clean Water Plan developed pursuant to the Clean Water Act, sections 303, 319, or 320; or (b) is a land acquisition project where the primary purpose is to protect water quality or a land acquisition project that has been included as a priority in the most recent State Open Space Conservation Plan prepared pursuant to article 49-0207 of the ECL, or a land acquisition project identified in a department-accepted source water plan. 15
- 2. A project: (a) where the outcome is expected to address a water quality problem or implement a solution identified in a department-accepted plan or report funded through a water program, or a department action agenda; or (b) is a land acquisition project where the secondary purpose is to protect water quality, or a land acquisition project that has been included in the most recent State Open Space Conservation Plan prepared pursuant to article 49-0207 of the ECL or land acquisition recommendations in a department-accepted source water plan. 10
- 3. A project which is consistent with water quality policies or water quality recommendations in the State Nonpoint Source Management Plan or the State's Open Space Conservation Plan. 5
- 4. None of the above. 0

Points may be allocated under either C.1, C.2, C.3 or C.4.

**D. Project Need Criterion.**

**1. Compliance.**

Factor	Points
a. A project to abate water pollution required by an executed enforcement instrument or required by a SPDES permit to be undertaken.	25
b. A project that will maintain or protect the integrity of existing wastewater treatment facilities to ensure continued SPDES compliance or to replace existing residential and small business on-site wastewater treatment systems with sanitary sewers.	10
c. A land acquisition project that protects water quality and is identified as a high priority for acquisition in the most recent State Open Space Conservation Plan prepared pursuant to article 49-0207 of the ECL.	5
d. None of the above.	0

Points may be allocated under either D.1.a, D.1.b, D.1.c, or D.1.d.

**2. Asset Management.**

Factor	Points
A project that includes assets identified in the capital improvement plan of a final Publicly Owned Treatment Works (POTW) asset management program that was developed in accordance with the department's POTW Asset Management Guide.	5

**E. Financial Need Criterion (municipal projects only).**

Factor	Points
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A project that receives points under A - Existing Pollutant Criterion and B - Water Quality Criterion, or D - Project Need Criterion, of this section, and the median household income (MHI) of the population in which the project service area is located is below the statewide MHI. 10

The MHI of the population responsible for the debt and the Statewide MHI will be determined from income data published by the United States Census Bureau. The applicant may provide to the department, or the department may obtain, documentation to substantiate that the data is not an accurate representation of the MHI within the area to be served.

- F. Resiliency Criteria.
  - 1. Climate and Security Adaptation.

Factor	Points
A project that receives points under A - Existing Pollutant Criterion and B - Water Quality Criterion, or D - Project Need Criterion, of this section and is, in part, a resiliency and climate adaptation, mitigation, or cybersecurity enhancement project.	5

- 2. Green Projects.

Factor	Points
A project that receives points under A - Existing Pollutant Criterion and B - Water Quality Criterion, or D - Project Need Criterion, of this section and is, in part, a green infrastructure, or water or energy efficiency at a POTW project.	5

G. Tie Breaking.

For municipal projects, in the event of equal total scores, preference shall be given: first to the project having the highest Existing Pollutant Criterion score; then, if not resolved, to the project receiving the highest Water Quality Criterion score; and finally, if not resolved, to the project serving the greatest population.

For non-municipal projects, in the event of equal total scores, preference shall be given: first to the project having the highest Existing Pollutant Criterion score; then, if not resolved, to the project receiving the highest Water Quality Criterion score; and finally, if not resolved, to the project for which a completed listing form was first received.

Section 649.16(a)(1) of Part 6 is amended to read as follows:

(1) Federal Water Pollution Control Act, also known as the Clean Water Act, 33 USC 1251 et seq., [as amended from time to time] January 14, 2019.

<sup>1</sup> (T) and (TS) indicate the application of standards to protect trout and trout spawning, respectively.

<sup>2</sup> Classification C without (T) or (TS) appended.

<sup>3</sup> The procedures for documenting a best use assessment in accordance with the Clean Water Act are detailed in the Department of Environmental Conservation Consolidated Assessment and Listing Methodology.

**Text of proposed rule and any required statements and analyses may be obtained from:** Derek Sellman, Environmental Facilities Corporation, 625 Broadway, Albany, NY 12207, (518) 402-6924, email: derek.sellman@efc.ny.gov

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

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

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

**Regulatory Impact Statement**

1. Statutory authority

When the Legislature enacted Chapter 565 of the Laws of 1989, it created the New York State Water Pollution Control Revolving Fund (“CWSRF”) and, in part, amended the State’s Public Authorities Law (“PAL”) creating Section 1285-j, which sets forth the provisions of the CWSRF. Under Section 1285 of the PAL, the New York State Environmental Facilities corporation (“EFC”) is given the statutory authority to administer the CWSRF. Pursuant to Section 1285-j(4) the Legislature provided that “moneys in the water pollution control revolving fund shall

be applied by the corporation to provide financial assistance to municipalities for construction of eligible projects and, upon consultation with the director of the division of the budget and the commissioner, for such other purposes permitted by the Federal Water Pollution Control Act, as amended...” PAL Section 1284(5), which sets forth the general powers of the corporation, provides that EFC has the power “...to make and alter by-laws for its organization and internal management, and rules and regulations governing the exercise of its powers and fulfillment of its purposes under this title...” In addition, the Federal Clean Water Act of 1986 (“CWA”) provided for the establishment, by each State, of a revolving fund, for certain identified water pollution control projects. During the last several years, the Environmental Protection Agency (“EPA”) has issued additional guidance encouraging states to further expand the types of projects eligible for financing through the CWSRF, including the development of new parameters for eligibility and prioritization for CWSRF funding.

2. Legislative objectives

In creating the CWSRF under the PAL, the Legislature directed EFC and the Department of Environmental Conservation (DEC) to offer aid in support of the planning, development and construction of municipal water pollution control projects and other types of projects permitted by the CWA. EPA has also consistently encouraged the states to expand the types of projects eligible for funding.

The proposed regulations amend the CWSRF Priority Ranking System Scoring Criteria (“Scoring System”) for projects receiving financial assistance through the CWSRF to award points for projects that: (i) promote climate resiliency and cybersecurity enhancements; and (ii) maintain existing assets.

3. Needs and benefits

The proposed amendments to the regulations are needed to ensure that CWSRF funding opportunities are available for projects that are helping communities build resilience to natural disasters, extreme weather events and cyber threats, as well as protecting existing water infrastructure in dire need of repair, replacement, or rehabilitation. Consideration of such factors will benefit economic growth by making funding available to create and maintain sound infrastructure designed to withstand extreme weather events and keep up with increased demand. Participation in the CWSRF is also intended to result in a financial benefit for the entity applying for assistance and improve job and employment opportunities.

In January 2021, the EPA released a publication encouraging states to utilize priority-setting systems that would provide equitable funding to eligible wastewater and stormwater projects that promote resiliency through the CWSRF. A subsequent report issued by the EPA Office of the Inspector General concluded that the EPA has had limited success in causing states to include climate adaptation or related resilience efforts in their annual CWSRF intended use plans and through targeted ranking criteria. The proposed amendments to these regulations will support the EPA’s mission and offer 5 points for projects that enhance resiliency and climate adaptation, mitigation, or cybersecurity.

In 2021, DEC and EFC jointly completed an Asset Management Pilot Program providing resources to enable municipalities to evaluate the resiliency of their wastewater assets and develop a plan to protect such assets. DEC subsequently released an Asset Management Guide for Publicly Owned Treatment Works (“POTW”) as a tool to be used by any owner or operator of a POTW to help guide decisions regarding the management of their assets, including investments and municipal planning. The proposed regulations will encourage entities to protect and maintain existing critical infrastructure and offer 5 points for projects that include assets identified in a POTW.

Finally, the proposed changes are needed to modernize the current Scoring System. Under the current regulations, points are awarded to projects that are located or serve a New York State Empire Zone which is a program that has been expired since 2010. The proposed amendments will eliminate such program consideration when CWSRF projects are being scored. Additionally, a clean-up of these regulations will make needed updates to language to align with current DEC and federal terminology.

4. Costs

The proposed amendments will not result in any additional costs to any regulated parties, to DEC or to State and local governments for the implementation and continuation of the rule.

5. Local government mandates

None. Participation in the CWSRF program is voluntary. Anyone choosing to apply for financial assistance from the CWSRF would be responsible for compiling the documentation necessary to submit a complete application to EFC for its consideration and review.

6. Paperwork

None. The proposed amendments do not require any additional paperwork. Anyone choosing to apply for financial assistance from the CWSRF would have to submit the documentation required for a complete application to EFC for its consideration.

7. Duplication

The proposed amendments to 6 NYCRR 649.13 will not be mirrored elsewhere in law or regulation.

#### 8. Alternatives

Upon review of the current regulations and the programmatic changes sought to be implemented, the proposal outlined above is the most efficient means by which the CWSRF regulations can be updated, and the programmatic changes implemented. No alternative proposals were considered.

#### 9. Federal standards

The proposed amendments do not exceed any minimum federal government standards.

#### 10. Compliance schedule

There is no relevant compliance schedule to consider. The proposal will be effective upon publication of the Notice of Adoption in the State Register.

#### **Regulatory Flexibility Analysis**

The New York State Environmental Facilities corporation has determined that, pursuant to Section 202-b(3) of the State Administrative Procedure Act, a regulatory flexibility analysis is not required. The proposed regulations for the New York State Water Pollution Control Revolving Fund Program (“Program”) will not have an adverse impact on small business or local governments and will not impose reporting, record-keeping or other compliance requirements on small businesses or local governments.

The program provides a process whereby low-cost financial assistance may be obtained by municipalities for the planning, design, and construction of projects for the construction of publicly owned treatment works, such as water pollution control facilities and wastewater treatment plants. The proposed regulations will extend this financing to projects that are enhancing resilient and green infrastructure and maintaining assets which will have positive impacts on small businesses and local governments. Participation in the Program is intended to result in a financial benefit for the entity applying for assistance and improve job and employment opportunities. Participation in the Program is voluntary, and any reporting, recordkeeping or other requirements are imposed only if an entity elects to participate in the Program.

For the same reasons, it is economically and technically feasible for small businesses and local governments to comply with these regulations.

This conclusion is based on the express nature and purpose of the statute authorizing the Program and the regulations proposed herein.

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

The New York State Environmental Facilities corporation has determined that, pursuant to Section 202-bb(4) of the State Administrative Procedure Act, a rural area flexibility analysis is not required. The proposed regulations for the New York State Water Pollution Control Revolving Fund Program (“Program”) will not have an adverse impact on rural areas and will not impose reporting, record keeping or other compliance requirements on rural areas.

The program provides a process whereby low-cost financial assistance may be obtained by municipalities for the planning, design and construction of projects for the construction of publicly owned treatment works, such as water pollution control facilities and wastewater treatment plants. The proposed regulations will extend this financing to projects that are enhancing resilient and green infrastructure and maintaining assets which will have positive impacts on rural areas. in the Program is intended to result in a financial benefit for the entity applying for assistance and improve job and employment opportunities. in the Program is voluntary, and any reporting, recordkeeping or other requirements are imposed only if an entity elects to participate in the Program.

This conclusion is based on the express nature and purpose of the statute authorizing the Program and the regulations proposed herein.

#### **Job Impact Statement**

The New York State Environmental Facilities Corporation has determined that, pursuant to Section 201-a of the State Administrative Procedure Act, a job impact statement is not required. The proposed regulations for the New York State Water Pollution Control Revolving Fund Program (“Program”) will not have an adverse impact on jobs and employment opportunities.

The Program provides a process whereby low-cost financial assistance may be obtained by municipalities for the planning, design and construction of projects for the construction of publicly owned treatment works, such as water pollution control facilities and wastewater treatment plants. The proposed regulations will extend this financing to projects that are enhancing resilient and green infrastructure and maintaining assets which will have positive job impacts. Participation in the Program is voluntary, and any reporting, recordkeeping or other requirements are imposed only if an entity elects to participate in the Program.

This conclusion is based on the express nature and purpose of the statute authorizing the Program and the regulations proposed herein.

## Commission on Ethics and Lobbying in Government

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

#### Ethics Training for Lobbyists and Clients

**I.D. No.** ELG-47-24-00005-EP

**Filing No.** 950

**Filing Date:** 2024-11-04

**Effective Date:** 2025-01-01

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

**Proposed Action:** Amendment of Part 943 of Title 19 NYCRR.

**Statutory authority:** Executive Law, section 94(1)(a), (5)(a)(i), (8)(d); Legislative Law, sections 1-A and 1-d(h)

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

**Specific reasons underlying the finding of necessity:** The emergency rule is necessary for the general welfare to inform the regulated community of the Commission on Ethics and Lobbying in Government (“the Commission”) eliminating the need for Individual Lobbyists to submit a completed and executed affidavit of training completion to their organization’s Responsible Party. Instead, beginning January 1, 2024, the Commission will now be requiring the Responsible Party to retain an executed training completion form, as prescribed by the Commission. Upon Emergency Adoption, these amendments will take effect January 1, 2024.

**Subject:** Ethics Training for Lobbyists and Clients.

**Purpose:** To eliminate the need for an organization’s Responsible Party to retain a completed and executed affidavit of training completion and instead require the Responsible Party to retain an executed training completion form.

**Text of emergency/proposed rule:** Subparagraph (b)(3)(i) of section 943.5 is amended to read as follows:

(i) For each Individual Lobbyist who has completed the online ethics training course, the Responsible Party for the Lobbyist must retain, for a period of three years, [a completed and executed affidavit of training completion, in the form provided] *an executed training completion certification on forms prescribed by the Commission.*

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire February 1, 2025.

**Text of rule and any required statements and analyses may be obtained from:** Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany NY 12207, (518) 408-3976, email: megan.mutolo@ethics.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:** Executive Law § 94(1)(a) provides the Commission on Ethics and Lobbying in Government (“Commission”) with the responsibility to administer, enforce and interpret New York State’s ethics and lobbying laws. Subsection 94(5)(a)(i) authorizes the Commission to adopt, amend and rescind any rules and regulations pertaining to the statutes within its jurisdiction. Subsection 94(8)(d) requires the Commission to develop and administer training courses for lobbyists and clients of lobbyists. Legislative Law Article 1-A Section 1-d(h) authorizes and requires the Commission to provide an online ethics training course for lobbyists and sets forth requirements related thereto.

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

3. **Needs and Benefits:** This Notice of Emergency Adoption and Proposed Rulemaking amends 19 NYCRR Part 943 to eliminate the need for Individual Lobbyists to submit a completed and executed affidavit of training completion to their organization’s Responsible Party. Instead, the



Commission is now requiring the Responsible Party to retain an executed training completion form, as prescribed by the Commission.

4. Costs:
  - a. Costs to regulated parties for implementation and compliance: Minimal.
  - b. Costs to the agency, State and local governments for the implementation and continuation of the rule: No costs to such entities.
  - c. Cost information is based on the fact that there will be minimal costs to regulated parties and state and local government for training staff on changes to the requirements.
5. Local Government Mandates: The Proposed Rulemaking does not impose new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.
6. Paperwork: This regulation eliminates the requirement for the regulated community to complete and executed affidavit; instead; requires the completion of a training completion form, as prescribed by the Commission.
7. Duplication: This regulation does not duplicate any existing federal, state or local regulations.
8. Alternatives: Currently, the Commission requires each Individual Lobbyist submit a completed and executed affidavit of training completion. The only other alternative would be to keep the burden on Individual Lobbyists to complete an executed affidavit.
9. Federal Standards: This regulation does not exceed any minimum standards of the federal government with regard to a similar subject area.
10. Compliance Schedule: Compliance with the Emergency Rulemaking will take effect on January 1, 2025.

**Regulatory Flexibility Analysis**

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

**Rural Area Flexibility Analysis**

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

**Job Impact Statement**

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

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## Department of Financial Services

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

**Network Adequacy and Access Standards for Mental Health and Substance Use Disorder Treatment Services**

**I.D. No.** DFS-08-24-00001-RP

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

**Proposed Action:** Addition of Part 38 (Regulation 230) to Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 301, 302; Insurance Law, sections 301, 3217-a, 3241, 4324; L. 2023, ch. 57, part II

**Subject:** Network Adequacy and Access Standards for Mental Health and Substance Use Disorder Treatment Services.

**Purpose:** To establish network adequacy and access standards and other protections to improve access to behavioral health services.

**Substance of revised rule (Full text is posted at the following State website: [https://www.dfs.ny.gov/industry\\_guidance/regulatory\\_activity/insurance](https://www.dfs.ny.gov/industry_guidance/regulatory_activity/insurance)):** New Part 38 sets forth standards for network adequacy for mental health and substance use disorder treatment services to improve insureds’ access to behavioral health services.

Section 38.0 is the preamble for Part 38.  
Section 38.1 makes Part 38 applicable, effective [January 1, 2025] 120 days after publication of the Notice of Adoption in the State Register, to any health care plan that delivers, or issues for delivery, in New York a comprehensive health insurance policy or contract that uses a network of health care providers to deliver behavioral health services.

Section 38.2 defines terms used in Part 38.  
Section 38.3 sets forth standards regarding network provider types.  
Section 38.4 sets forth appointment wait time standards and permits the use of telehealth appointments to meet the appointment wait time standards unless the insured specifically requests an in-person appointment.

Section 38.5 permits an insured to file an access complaint with the health care plan when access to behavioral health services from an in-network provider who can treat the insured’s behavioral health condition, and is available within the appointment wait time standards, is unavailable. The health care plan has three days to locate such a provider, and if it cannot do so, the health care plan must permit the insured to receive the behavioral health services from a non-participating provider who can treat the insured’s condition, can and meet the appointment wait time standards, and is located within a reasonable distance if the insured requests an in-person appointment, regardless of whether the insured’s coverage includes out-of-network benefits. In addition, the health care plan cannot impose a greater cost-sharing requirement on the insured than the cost-sharing for services from a participating provider and must apply the same out-of-pocket maximum.

Section 38.6 sets forth provider directory requirements for the listing of behavioral health providers and requires the health care plan to verify the accuracy of such information at least annually, [requires a health care plan to] provide the insured or insured’s designee with a list of behavioral health providers available to treat a specific behavioral health condition within three business days of the request, [requires a health care plan to] review claims activity every six months and confirm certain information with those behavioral health providers that did not submit claims during such period, and [requires a health care plan to have] post a method on a publicly accessible area of its website for a person to report errors in the provider directory information and to correct such errors within specified timeframes.

Section 38.7 sets forth additional healthcare plan responsibilities regarding network adequacy and access, such as the provision of and access to staff designated to help insureds find appropriate participating behavioral health providers and the making of an access plan to establish protocol for monitoring and ensuring access to behavioral health services.

Section 38.8 sets forth reporting requirements regarding a health care plan’s access plan made in accordance with section 38.7, sufficiency of in-network providers and permission for insureds to use non-participating providers in accordance with section 38.5, information on access complaints received and their resolution in accordance with section 38.5, and provider directory verification made in accordance with section 38.6.

**Revised rule compared with proposed rule:** Substantial revisions were made in Part 38.

**Text of revised proposed rule and any required statements and analyses may be obtained from** Stephani Schendlinger, New York State Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 473-0273, email: HealthRegComments@dfs.ny.gov

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

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

**Revised Regulatory Impact Statement**

1. Statutory authority: Financial Services Law (“FSL”) sections 202, 301, and 302, Insurance Law (“IL”) sections 301, 3217-a, 3241, and 4324, and Part II of Chapter 57 of the Laws of 2023 (“Chapter 57”).

FSL section 202 establishes the office of the Superintendent of Financial Services (“Superintendent”).

FSL sections 301 and 302 and IL section 301, in pertinent part, authorize the Superintendent to prescribe regulations interpreting the IL and to effectuate any power granted to the Superintendent in the IL, FSL, or any other law.

IL section 3217-a sets forth disclosure requirements for all comprehensive, expense-reimbursed health insurance contracts, managed care health insurance contracts, and any other health insurance contract for which the Superintendent deems such disclosure appropriate.

IL section 3241 requires an insurer, a corporation organized pursuant to

IL Article 43, a municipal cooperative health benefit plan certified pursuant to IL Article 47, and a student health plan established or maintained pursuant to IL section 1124 (collectively, “health care plans”), that issues a health insurance policy or contract with a network of health care providers to ensure that the network is adequate to meet the health care needs of insureds and provide for an appropriate choice of providers sufficient to render the services covered under the policy or contract.

IL section 4324 sets forth disclosure requirements for all comprehensive, expense-reimbursed health insurance contracts, managed care health products, and any other contract or product for which the Superintendent deems such disclosure appropriate.

Chapter 57 amended the Insurance Law to require the Superintendent, in consultation with the Commissioners of Health, the Office of Mental Health (“OMH”), and the Office of Addiction Services and Supports (“OASAS”), to propose regulations setting forth standards for network adequacy for behavioral health treatment services.

2. Legislative objectives: To effectuate the statutory intent of Chapter 57 to increase access to behavioral health services in this State by establishing provider network standards. The regulation strengthens network adequacy requirements for behavioral health services, requires health plans to establish internal protocols for monitoring access and utilization of these services, assists insureds in finding timely access to providers, and takes certain actions to ensure the accuracy of provider directories. Together, these requirements will make it easier and faster for consumers to access behavioral health services.

3. Needs and benefits: The regulation implements Chapter 57, which requires the Department of Financial Services (“Department”) to establish by regulation requirements for provider networks used by health care plans that issue comprehensive health insurance policies or contracts in relation to behavioral health services. Ensuring meaningful access to behavioral health care is vital to addressing New York’s behavioral health crisis.

A key component of access is the availability of an adequate number of appropriate providers within a health care plan’s network. The regulation sets forth appointment wait time standards for behavioral health services. If an insured cannot access behavioral health services from an in-network provider who can treat the insured’s behavioral health condition and is available within the appointment wait time standards, the regulation gives the health care plan three business days from receipt of an access complaint to provide the insured or the insured’s designee with the contact information for an in-network provider who can treat the insured’s behavioral health condition and is available within the appointment wait time standards. If the insured requests an in-person visit rather than a telehealth visit, the in-network provider also must be located within a reasonable distance.

If no such in-network provider is available within the appointment wait time standards, the regulation requires the health care plan to provide the insured with a referral to an out-of-network provider at the in-network cost-sharing, if the out-of-network provider can treat the insured’s behavioral health condition, is able to meet the appointment wait time standards, is located within a reasonable distance from the insured, and charges rates that are not excessive or unreasonable. The regulation requires the referral to remain in effect until the behavioral health services are no longer medically necessary or the health care plan locates an in-network provider that can treat the insured’s behavioral health condition, is able to meet the appointment wait time standards, is located within a reasonable distance if an in-person appointment is requested, and the insured’s treatment can be transitioned to the in-network provider, unless the health care plan determines, in consultation with the insured’s treating provider, as appropriate, that such transition would be harmful to the insured.

The regulation requires health care plans to verify information in their provider directories and to include information in the directories on any restrictions concerning the conditions or ages treated by network providers, languages spoken by a health care professional, whether the provider offers services via telehealth, and, if the provider is a facility, the level of care offered by the facility.

The regulation requires health care plans to review claims activity twice each year to identify behavioral health providers who have not submitted claims and to verify their participation status and confirm whether they are accepting new patients. Additionally, the regulation requires health care plans to post certain information on a publicly accessible area of their websites, including a method for insureds, providers, and other persons to report provider directory errors, a description of the appointment wait time standards, and the process for submitting an access complaint.

The regulation requires a health care plan to have an access plan that establishes a protocol for monitoring and ensuring access to behavioral health services, including assessing the ability of the health care plan’s network of behavioral health providers to meet the cultural and linguistic needs of the health care plan’s insured population. The regulation also requires health care plans to submit to the Superintendent an annual certi-

fication of compliance that includes the number of access complaints received by the health care plan and a description of how the access complaints were resolved.

4. Costs: A health care plan may incur compliance costs to: file new insurance policy and contract forms and premium rates with the Department; develop a process to monitor and evaluate access to its network providers; recruit additional behavioral health providers for its networks or pay for out-of-network providers; modify on-line provider directories to ensure that they are searchable and filterable; provide training to staff on the requirements for responding to access complaints; update its website with required information; and submit an annual compliance certification. Some of the compliance costs may impact premium rates charged to insureds; however, certain costs should be minimal because health care plans submit insurance policy or contract form and premium rate filings as a part of the normal course of business and should already have compliance procedures in place.

The regulation may impose compliance costs on the Department because the Department will need to review amended insurance policy and contract forms and premium rates and review annual compliance certifications. However, any additional costs incurred by the Department should be minimal because existing personnel are already available to review any filings necessitated by the regulation and the Department should be able to absorb the costs in its ordinary budget.

The regulation does not impose any compliance costs on state or local governments or health care providers.

5. Local government mandates: The regulation does not impose any program, service, duty, or responsibility upon a county, city, town, village, school district, fire district, or other special district.

6. Paperwork: Health care plans may need to file new insurance policy forms and premium rates with the Department to comply with the regulation. These include the health insurance contracts and certificates that describe the covered benefits that are reviewed and approved by the Department and then issued to covered individuals. Health care plans also will need to submit an annual certification of compliance to the Superintendent. Health care plans must annually certify that they have an access plan that includes protocols for monitoring and ensuring access to behavioral health services, such as monitoring utilization of those services, numbers and types of providers who are actively providing services, collecting data on provider-to-insured ratios and appointment wait times, and assessing the ability of their networks’ behavioral health providers to meet the cultural and linguistic needs of their insured populations. The access plan must be available to the Department upon request. Health care plans also must certify that they have sufficient providers to meet the appointment wait time standards or otherwise permit insureds to go out-of-network at no additional cost to the insureds and performed the provider directory verification as required by the regulation.

7. Duplication: The regulation does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

8. Alternatives: The Department consulted with the Department of Health, OMH, and OASAS when drafting the regulation. The Department also met with numerous stakeholders representing providers, consumers, and health care plans. During discussions with various behavioral health provider associations, providers repeatedly stated that there is a state-wide shortage of providers and an increasing demand for behavioral health services. Many providers, including providers who do not participate in health care plan provider networks, expressed concern that they would not be able to meet an appointment wait time standard of ten business days, and many providers indicated that appointment wait times can run up to four weeks or longer. The Department considered requiring health care plans to meet longer appointment wait time standards of 14 to 28 days, instead of ten business days, for initial behavioral health treatment appointments. However, other states and federally run exchanges have a ten business-day timeframe for initial appointments, and the ten business-day timeframe is more protective of consumers than a longer timeframe.

The IL includes a mechanism for an insured to go out of network when there is no provider in a health care plan’s network who can perform the services. That process requires the insured to file an internal appeal with a health care plan and an external appeal with independent medical experts. The Department considered the use of that process to assist insureds in finding timely and proximate access to behavioral health services. However, the Department chose to require a more streamlined process for health care plans to assist an insured in obtaining an appointment with a provider who meets the appointment wait times, which does not necessitate an appeal with independent medical experts.

The Department considered several different timeframes for health care plans to monitor network capacity and provider access, including monthly, quarterly, and annually. The Department added a quarterly timeframe to align with the network adequacy quarterly network submission process.

The Department considered requiring a pre-determined length of time for a referral to an out-of-network provider to be covered, such as 60 or 90



days. However, the interruption of certain behavioral health treatments may cause harm to an insured in some circumstances, while in other situations an insured may be more appropriately transitioned to an in-network provider sooner.

The Department also considered requiring out-of-network referrals to be effective until the completion of an insured's treatment. However, some behavioral health treatments can be very lengthy, lasting years, which would be costly for insurers and increase premiums. In addition, insurers currently can transition insureds to in-network providers in other circumstances where out-of-network referrals are made.

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

10. Compliance schedule: Health care plans will need to comply with the regulation 120 days after publication of the Notice of Adoption in the State Register for policies and contracts issued, renewed, modified, or amended on or after such date, and will need to submit their first annual compliance certifications by December 31, 2026.

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

1. Effect of rule: The regulation applies to insurers licensed to write accident and health insurance pursuant to Insurance Law Article 42; corporations organized pursuant to Insurance Law Article 43; municipal cooperative health benefit plans certified pursuant to Insurance Law Article 47; and student health plans established or maintained pursuant to Insurance Law section 1124 (collectively, "health care plans"). Although most health care plans do not come within the definition of "small business" as defined in State Administrative Procedure Act ("SAPA") section 102(8) because they generally are not both independently owned and have fewer than 100 employees, industry has previously asserted that certain health care plans, in particular mutual insurers, subject to the regulation are small businesses but has not provided the Department of Financial Services ("Department") with either the names of specific health care plans or the number of such entities. The regulation does not apply to local governments.

2. Compliance requirements: Any health care plan that is a small business affected by the regulation may need to file new policy and contract forms and rates with the Department to comply with the regulation. In addition, any health care plan that may be a small business must annually certify that it has an access plan that includes protocols for monitoring and ensuring access to behavioral health services, such as monitoring utilization of those services, numbers and types of providers who are actively providing services, collecting data on provider-to-insured ratios and appointment wait times, and assessing the cultural and linguistic needs of their insured populations. The access plan must be available to the Department upon request. A health care plan that may be a small business also must annually provide a certification confirming that it has sufficient providers to meet the appointment wait time standards or otherwise permits insureds to go out-of-network at no additional cost to the insureds and that it has performed the provider directory verification as required by the regulation, and provide the number of access complaints received with a description of how the access complaints were resolved, including the number of approved referrals.

No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the regulation.

3. Professional services: A health care plan that is a small business affected by the regulation will not need to retain professional services, such as lawyers or auditors, to comply with the regulation. No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the regulation because it does not apply to any local government.

4. Compliance costs: No local government will incur any costs to comply with the regulation because the regulation does not apply to any local government.

A health care plan that is a small business may incur compliance costs to file new insurance policy and contract forms and premium rates with the Department; develop a process to monitor and evaluate access to its network providers; recruit additional behavioral health providers for its networks or pay for out-of-network providers; modify on-line provider directories to ensure that they are searchable and filterable; provide training to staff on the requirements for responding to access complaints; update its website with required information; and submit an annual compliance certification. However, any costs should be limited because health care plans submit policy or contract form and rate filings as a part of the normal course of business and should have compliance procedures already in place.

5. Economic and technological feasibility: A health care plan that is a small business affected by the regulation may experience an economic or technological impact as a result of the regulation's requirement for the on-line provider directory to be searchable and filterable by behavioral health services provided and conditions treated, level of care offered by a facility, languages spoken, affiliations with participating facilities certified or au-

thorized by the Office of Mental Health or the Office of Addiction Services and Supports, and the city/town or zip code where the provider is located. No local government will experience any economic or technological impact because of the regulation because it does not apply to any local government.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the regulation does not apply to any local government. The regulation should not have an adverse impact on a health care plan that is a small business because the regulation uniformly affects all health care plans. A health care plan that is a small business should not face additional challenges when compared to larger entities when complying with the proposed regulatory requirements.

7. Small business and local government participation: The Department complied with SAPA Section 202-b(6) by notifying trade associations that represent health care plans across the entire state, including plans that may be small businesses, that the Department intends to promulgate the regulation. The Department posted the regulation on its website on January 9, 2024 for comment by interested parties, such as health care plans that are small businesses, if any. Health care plans that are small businesses will have yet another opportunity to participate in the rulemaking process when the revised regulation is published in the State Register and posted on the Department's website.

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

1. Types and estimated numbers of rural areas: Health care plans affected by the regulation operate in every county in New York State, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: Health care plans, including those located in a rural area, may need to file new insurance policy and contract forms and premium rates with the Department of Financial Services ("Department") in order to comply with the regulation. In addition, health care plans, including those located in a rural area, must annually certify that they have an access plan that includes protocols for monitoring and ensuring access to behavioral health services, such as monitoring utilization of those services, numbers and types of providers who are actively providing services, collecting data on provider-to-insured ratios and appointment wait times, and assessing the cultural and linguistic needs of their insured populations. The access plan must be available to the Department upon request. Health care plans also must annually provide a certification confirming that they have sufficient providers to meet the appointment wait time standards or otherwise permit insureds to go out-of-network at no additional cost to the insureds and performed the provider directory verification as required by the regulation; and provide the number of access complaints received with a description of how the access complaints were resolved, including the number of approved referrals.

Health care plans, including those in a rural area, should not need to retain professional services, such as lawyers or auditors, to comply with this regulation.

3. Costs: The regulation may impose compliance costs on health care plans, including those in a rural area, to make new policy and contract form and rate filings to comply with the regulation; develop a process to monitor and evaluate access to their network providers; recruit additional behavioral health providers for their networks; and submit an annual compliance certification. However, any costs should be minimal because health care plans submit policy or contract form and rate filings as a part of the normal course of business on a regular basis and should have compliance procedures already in place.

4. Minimizing adverse impact: The regulation uniformly affects health care plans located both in rural and in non-rural areas of New York State. The regulation should not have an adverse impact on rural areas.

5. Rural area participation: The Department notified trade associations representing health care plans across the entire state, including those located in rural areas, that it intended to promulgate the regulation. The Department also met with stakeholders representing health care plans, including those located in rural areas. The Department posted the regulation on its website on January 9, 2024 for comment by interested parties, such as health care plans that are located in rural areas, and the public. Health care plans, including those located in rural areas, will have yet another opportunity to participate in the rulemaking process when the revised regulation is published in the State Register and posted on the Department's website.

#### **Revised Job Impact Statement**

Revised 11 NYCRR 38 (Insurance Regulation 230) is not expected to adversely impact jobs or employment opportunities in this State. The revised regulation establishes provider network adequacy and access standards and other protections for behavioral health services to improve access to behavioral services, as required by Part II of Chapter 57 of the Laws of 2023.

*Assessment of Public Comment*

The New York State Department of Financial Services (“Department”) received comments from many interested parties, including insurers and associations representing insurers and health maintenance organizations (collectively, “health care plans”); provider associations representing hospitals, community-based providers, psychologists, and psychiatrists; an association that advances telehealth; and advocates for consumers and children’s behavioral healthcare.

Interested parties submitted a number of comments, including comments that: requested a change in the effective date to provide health care plans with more time to meet the new requirements; requested clarification of how the number of days in the definition of “appointment wait time” are counted and how an initial request for services is defined; suggested appointment wait time standards be included for sub-acute residential facilities, assertive community treatment, critical time intervention services, and mobile crisis intervention services; indicated confusion regarding requirements for provider types not mentioned in section 38.3 of the regulation; requested a definition of “residential facilities that provide sub-acute care;” recommended including a list of Office of Mental Health and Office of Alcohol and Substance Abuse Services-licensed residential facilities; requested section 38.3 be amended to allow additional time before it becomes effective following the determination that there are enough providers in each classification; suggested that language in section 38.3 could delay or prevent the regulation from taking effect for all provider types while waiting for just those four categories to be determined sufficient; sought an explanation of when the determination of provider sufficiency in section 38.3 of the regulation would be made and how deficiencies would be handled; requested clarification that the providers must be in-person providers when requested; stated the appointment wait times were too short, impossible to meet due to a statewide provider shortage, and will create unreasonable expectations; stated the standards for appointment wait times are too long, or that there should be a single appointment wait time for all services; recommended removing the appointment wait times altogether or having them apply only to urgently needed services; recommended adding additional standards such as time and distance, provider-to-insured ratios, and a minimum percentage of providers that must accept new patients; encouraged the Department to align with recently issued federal time and distance standards, rather than implement appointment wait time standards; suggested the regulation replicate the minimum provider-to-insured ratio standards of another state; requested adding appointment wait time standards for services such as urgent care, emergency care, inpatient and crisis services, as well as follow-up appointments; sought clarification on how the appointment wait time standards in the proposed regulation will interact with standards for Medicaid managed care plans and programs; requested inclusion of an exception process to allow approval of a network and certification of a qualified health plan where the provider network does not meet standards; requested clarity as to whether the seven-day appointment wait time following discharge from a hospital or emergency room is business days or calendar days; advised that health care plans will face challenges meeting the seven-day appointment wait time because it is not normal practice for an emergency room to assist an individual in finding a provider; noted that health care plans often do not get information about emergency room visits until a claim is submitted; stated that there are not enough behavioral health providers to meet the needs of New Yorkers, and that the proposed appointment wait time standards will not create provider capacity and will be difficult to enforce due to a provider shortage and the demand for behavioral health services; recommended possible solutions to the provider shortage; requested the annual certification language be changed; supported the use of telehealth to meet appointment wait time standards; requested clarification of how adequate capacity and availability will be determined; requested clarity for how health care plans should calculate adherence section 38.4 of the regulation; noted that appointment wait times may be difficult to monitor as they fluctuate widely by provider; suggested that the Department provide standardized guidance to ensure consistency; suggested that a third-party vendor could be commissioned by the State or by health care plans to test access and availability of providers; suggested the regulation should establish a threshold below 100% for compliance; stated that insureds should not have to contact the health care plan for assistance finding an out-of-network provider in urgent situations; requested that “complaint” be changed to “request” because helping an insured find a participating provider should not be treated as a complaint; suggested health care plans create an access complaint tracking system; suggested that health care plans should report detailed data, including information on percentage of providers accepting new patients, claims, and complaints; requested clarification of how the insured would submit or initiate an access complaint; expressed the need for a simplified complaint process and to permit complaints to be made via phone, email, or text message; opposed requiring the submission of a specific form to initiate an access complaint; requested health care plans be required to educate

insureds on access complaints and transmit the instructions by email and text message; recommended requiring health care plans to provide instructions on their websites, in provider directories, on explanations of benefit and adverse determinations, by telephone, and in response to complaints about networks; recommended requiring health care plans provide a written response to access complaints; made suggestions on the contents of the written response; requested a revision to language in section 38.5(c) of the regulation; requested the amount of time health care plans have to locate a participating provider be increased; requested the amount of time to locate a provider be decreased; requested clarification whether out-of-network care is automatic; requested that an appeal to the Department be created if the health care plan does not respond within three business days; urged the Department to amend the regulation so that an insured could also seek out-of-network services whenever access standards for managed care organization networks are not met; suggested standards be aligned across insurance and managed care products; recommended defining “unable to schedule” and suggested that it not include instances when the provider was not answering the phone; stressed the need to clarify that available providers must be appropriate for the insured’s condition and needs; suggested that, if there is no participating provider or non-participating provider available in the appointment wait time standards, then the health care plan would not be required to approve a referral; stated that the health care plan should be required to assist insureds in finding out-of-network providers that can meet the appointment wait times to the same degree as finding in-network providers; expressed concern that the regulation is silent on the length of time for out-of-network services and the process for transitioning an individual to a participating provider; urged permitting health care plans to transition the insured to a participating provider; urged covering the full episode of care out-of-network; noted that the regulation did not address reimbursement rates for non-participating providers; stated that providers will be incentivized to not join networks, or even leave networks, so they can be paid a higher reimbursement rate, which will increase premiums; suggested that reimbursement for non-participating providers be capped at the in-network rate, Medicaid rate, or a median rate published by a third party; stated that requiring out-of-network services creates extra-contractual benefits and violates benefit plans that were previously approved; recommended treating the out-of-network provider as an in-network provider; urged that insureds be held harmless for costs of out-of-network services; suggested requiring health care plans to provide insureds with a document that promises payment to the provider; recommended that the Department specify that health care plans will pay the remainder of the out-of-network providers’ billed charges; stated health care plans should be required to confirm that their claims processing platforms have been updated; expressed concern about ensuring the accuracy of provider directories because the regulation does not require providers to give updated information to health care plans; suggested that providers, not health care plans, be responsible for directory information; expressed concern that the regulation doesn’t reflect the shared responsibility between providers and health care plans, and strongly recommended requiring provider engagement and accountability; recommended that the Department create a monitoring system; offered suggestions on information that should be included in provider directories; suggested the Department develop a list of specific conditions treated and services offered that providers must report; requested clarifying “level of care” offered by the behavioral health provider; opposed including county location in directories; recommended specific fields to be included or excluded as searchable and filterable in directories; suggested requiring health care plans to furnish the list of available providers within 24 hours; suggested clarifying that a list of providers can be given to insureds’ representatives upon request; offered suggestions for verifying the accuracy of directory information; supported the annual verification requirement, while others suggested it be semiannual, quarterly, monthly, or only apply to providers who have not been credentialed or re-credentialed in the past 12 months; suggested which information should be verified; stated that providers should be removed from the directory if they are not accepting new patients; suggested verification methods; stated that attempted verification should be deemed compliant whether or not the provider responds; recommended eliminating the semi-annual requirement to review claims activity, or requiring verification every 2 years or only if not already verified in the previous 180 days; recommended different dates for claims review; recommended adding an obligation on the health care plans to immediately update their electronic provider directory upon notification of a change; requested that health care plans be required to review and respond to error reports within 15 days or no less than 30 days; suggested health care plans be required to accept reports of directory errors from any interested party; suggested health care plans should acknowledge complaints regarding directory misinformation; recommended insureds be held harmless for any costs beyond in-network cost sharing when services are received from an out-of-network provider due to errors in the directory; requested that the designated staff’s contact information be shared,



including on a publicly available section of the health care plan’s website and on identification cards; requested confirmation that contact information for a department, rather than an individual, satisfies the requirement for staff contact information; offered suggestions regarding what types of staff members should be designated to help insureds find participating behavioral health providers; requested that the Department issue guidance on staffing requirements; offered suggestions on staffing requirements; suggested that the designated staff be satisfied by using existing member services staff; recommended that designated staff be available on the same day, with a wait time of 15 minutes or less; supported the requirement that an access plan establish a protocol for monitoring and ensuring access; stated that the access plan requirements place a significant burden on health care plans and providers; recommended that the Department standardize access plans; requested that the regulation be modified to emphasize providers’ obligations, such as providing health care plans with updates about the provider’s capacity; noted that most providers participate with more than one network and that provider counts may incorrectly indicate more behavioral health providers are available than exist; requested changing the frequency of monitoring of capacity and access from monthly to quarterly or eliminating it altogether; suggested the access plan include the number of providers necessary to provide in-person services, and the number providing in-person and telehealth services; suggested adding the number of essential behavioral health community-based providers; supported the access plans and annual certification requirements; urged making the access plans and annual certifications publicly available and requiring health care plans to demonstrate compliance by reporting detailed data; recommended adding methods of monitoring, enforcement and penalties; and expressed dissatisfaction with the term “behavioral health” instead of specifying mental health or substance use disorder separately, and requiring each to be tracked separately.

The Department considered all the comments received and made changes to the regulation in response thereto. The Department has posted on its website the full assessment of public comments received.

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## Justice Center for the Protection of People with Special Needs

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

#### Modernizing SDMC Hearings

**I.D. No.** JCP-47-24-00002-P

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

**Proposed Action:** Amendment of sections 705.5, 705.6, 710.3, 710.4, 710.5 and 710.7 of Title 14 NYCRR.

**Statutory authority:** General Construction Law, section 22; Executive Law, section 553(15); Mental Hygiene Law, section 80.07(d); Surrogate’s Court Procedure Act, section 1750-b(1)(a)

**Subject:** Modernizing SDMC Hearings.

**Purpose:** To clarify and modernize the venue of Surrogate Decision Making Committee hearings to use current technologies.

**Text of proposed rule:** Subdivision (c) of section 705.5 is amended to read as follows:

(c) Inquiry of personal representative. The service provider shall ask the personal representative if [he or she has] *they have* additional information not known to the service provider concerning the most effective ways to communicate with the service recipient [in order] to support the interview process.

Paragraph (3) of subdivision (a), paragraph (1) of subdivision (b), and subdivision (e) of section 705.6 are amended to read as follows:

(3) If conducting an interview of the service recipient would be clinically contraindicated, despite the provision of appropriate accommodations, the interview shall not take place, except where circumstances exist which support a determination that there exists an overriding health and safety need to proceed with the interview. Such circumstances may include but not be limited to: an investigator reasonably believes that a service recipient has information relevant to maintaining or securing the safety of service recipients and is capable of reliably communicating that information; an investigator reasonably believes that failure to interview a service recipient may allow for the destruction of evidence or for a subject to

evade law enforcement; or a delay in interviewing a service recipient may allow a subject to evade law enforcement. Prior to proceeding with the interview, the investigator shall consult with and obtain approval of [his or her] *their* supervisor. Further, such investigator shall document in the investigative record the reason why it was appropriate to proceed with the interview and include the steps taken to protect the service recipient’s health, safety, and wellbeing during the interview.

(1) An investigator must notify a service provider if [he or she] *they* will need specific information from a service provider to determine whether to proceed with an interview, including the identity of any additional service recipient witnesses for whom the service provider did not make the required notification as set forth in section 705.5(b)(1) of this Part.

(e) Information for service recipients. Prior to beginning an interview with a service recipient, the investigator shall advise service recipients and/or their personal representatives about what to expect in an interview. The investigator shall explain that participation in an interview is voluntary. In addition, and as applicable, the investigator shall advise the service recipient and/or [his or her] *their* personal representative about searches of the service recipient’s personal property and searches of the service recipient’s person for the purposes of non-criminal investigations.

Subdivisions (c), (e), and (l) of section 710.3 are amended to read as follows:

(c) Conflict of interest means an association, including a financial or personal association, which precludes the participation of a panel member in the proceedings with regard to a patient. In general, any member who has any interest, financial or otherwise, direct or indirect, or engages in any business or transaction or professional activity or incurs any obligation or receives any benefit of any nature which is in conflict with the impartial discharge of [his or her] *their* duties as a panel member shall neither be assigned to the panel considering the case nor vote upon its disposition. A panel member will be precluded whenever the panel member:

(1) is a relative of the patient;

(2) has served as a board member, officer, employee, or otherwise has been affiliated with the facility where the patient resides or receives services; provided, however, that a member of a board of visitors may serve on a panel for a patient served by the psychiatric center or developmental disabilities services office to which the board of visitors member is assigned, absent any close affiliation or affinity;

(3) has provided health services or has been an officer, board member or employee of any provider of health services to the patient; provided, however, that health care professionals are not precluded from serving on a panel wherein the patient is known to be served by another provider within the same health care network or parent corporation or entity, absent any close affiliation or affinity;

(4) has engaged in any business or has been an officer, board member or employee of any corporation, association, partnership or joint venture which has transacted business with the facility where the patient resides; or has recently received a gift of significant value from the facility where the patient resides; or

(5) is a relative of another panel member.

In general, any member who has any interest, financial or otherwise, direct or indirect, or engages in any business or transaction or professional activity or incurs any obligation or receives any benefit of any nature which is in conflict with the impartial discharge of [his or her] *their* duties as a panel member shall neither be assigned to the panel considering the case nor vote upon its disposition.

(e) Declarant means a person who submits a declaration seeking a major medical treatment decision on behalf of a patient, or seeking a decision to withhold or withdraw life-sustaining treatment on behalf of a patient. Such persons may include the director of the patient’s residential facility or [his or her] *their* designee or staff member, the patient’s service coordinator, physicians, dentists, staff of hospitals as defined in article 28 of the Public Health Law (PHL), or a relative or correspondent of the patient.

(l) Minor means a person who has not attained the age of 18 years, unless each of the minor’s parents satisfy one of the following conditions: the parent’s parental rights have been legally terminated; the parent is deceased; the parent has indicated [his or her] *their* willingness to allow the panel to proceed.

Clause (C) of subparagraph (ii) of paragraph (1) of subdivision (c) of section 710.4 is amended to read as follows:

(C) a statement whether the patient has any medical, podiatric, or dental condition which would prevent [his or her travel to or] *their* presence at the panel hearing and a description of such condition; and

Paragraphs (1), (2), and (3) of subdivision (a) of section 710.5 are amended to read as follows:

(1) The program staff or its designee shall send a copy of the declaration to the following interested parties as set forth in the declaration: the

patient[, the patient's parent, spouse, adult child, legal guardian, other authorized surrogate.]; any authorized surrogate outlined in *Mental Hygiene Law section 80.07(b) for decisions regarding major medical treatment; any authorized surrogate as outlined Surrogate's Court Procedure Act section 1750-b(1)(a)(ii)(B) for decisions to withhold or withdraw life-sustaining treatment; correspondent, if known; the director of the patient's residential facility or such director's designee; and the Mental Hygiene Legal [Services] Service (MHLS) departmental office that serves the same region as the patient's county of residence.*

(2) Copies of the declaration shall be sent along with a notice of hearing which shall inform recipients of the procedures of the panel, including the opportunity for the recipient [to be present and] to be heard. *The Justice Center shall determine the venue or format for the hearing based on the totality of the circumstances, which may include video conference, telephone, or other technology that allows for remote participation. In making such determination, the Justice Center shall consider any requests for an in-person hearing from participants.*

(3) A [patient's parent, spouse, adult child, legal guardian, other authorized] surrogate, or correspondent who does not respond to the notice or who submits a signed waiver for the proceeding shall be deemed to be willing to allow the panel to proceed; provided, however, that parents of minors who have not had their parental rights terminated must submit a waiver to indicate their willingness to allow the panel to consider the declaration.

Paragraphs (1), (2), and (4) of subdivision (b) of section 710.5 are amended to read as follows:

(1) The hearing shall be conducted by the panel. Recipients of the declaration, as well as any other person requested by the patient to appear on [his or her] *their* behalf, shall have the right to be present and be heard.

(2) The facility where the patient resides shall, to the extent possible, ensure the presence of the patient at the hearing unless the declaration contains a certification by a physician, podiatrist, or dentist that the patient is unable for medical reasons to attend the hearing or unless it is a declaration regarding the withdrawal or withholding of life-sustaining treatment. To the extent practicable, the patient should be accompanied by a person who is personally familiar with the patient, [his or her] *their* condition and [his or her] *their* history. If the patient is unable to attend the hearing or if it is a declaration regarding the withdrawal or withholding of life-sustaining treatment, the panel members shall either [personally] observe and interview the patient, or the program staff or a designee shall designate at least one panel member to observe and interview the patient prior to the commencement of the hearing.

(4) The panel shall be empowered to conduct its proceeding via telephone conference calls or any other technology that allows for remote participation in appropriate cases, including but not limited to cases in which:

Paragraph (5) of subdivision (c) of section 710.5 is amended to read as follows:

(5) In the event that the patient is deemed not to need surrogate decision-making because [he or she has] *they have* the capacity to consent on [his or her] *their* own behalf, patient consent to or refusal of such treatment, if given, shall constitute legally valid consent or refusal therefor. No other consent shall be required by a provider of health services.

Paragraphs (2) and (5) of subdivision (e) of section 710.5 are amended to read as follows:

(2) A copy of any panel determination shall contain a statement describing the right to appeal and shall promptly be sent to the following parties: patient; other persons requested by the patient to appear on [his or her] *their* behalf; declarant; patient's parent, spouse, adult child, legal guardian, other known authorized surrogates, and correspondents; the director of the patient's residential facility or designee; service coordination provider; and MHLS.

(5) The panel determination regarding the major medical treatment decision or the end-of-life decision shall constitute legally valid consent or refusal to such treatment in the same manner and to the same extent as if the patient were able to consent or refuse on [his or her] *their* own behalf. No other consent shall be required by a provider of health services.

Subdivisions (b) and (d) of section 710.7 are amended to read as follows:

(b) A member who has failed to attend three consecutive meetings of the panel to which the member has been appointed shall be considered to have vacated [his or her] *their* office unless the Justice Center determines that the absences should be excused. Notice of such absences shall be provided to the program staff and vacancies shall be filled in accordance with article 80 of the MHL.

(d) A member who was unable to serve because [he or she has] *they have* a conflict of interest shall not be deemed to have failed to attend the hearing regarding that declaration.

**Text of proposed rule and any required statements and analyses may be obtained from:** Charlie Pensabene, Director of Intergovernmental Affairs, NYS Justice Center, 161 Delaware Avenue, Delmar NY 12054, (518) 549-0384, email: charles.pensabene@justicecenter.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: Executive Law 553(15) directs the Justice Center to administer the surrogate decision-making committee ("SDMC") program. General Construction Law section 22, as amended by Chapter 139 of the Laws of 2023, require the use of gender-neutral terms in rules and regulations. Further, Executive Law 551(3) authorizes the Executive Director of the Justice Center to promulgate regulations necessary to carry out the provisions of Executive Law Article 20.

2. Legislative objectives: To administer SDMC hearings in a fair and efficient manner.

3. Needs and benefits: The regulations are currently silent on holding SDMC hearings in a virtual format. Since SDMC staff implemented virtual hearings during the COVID-19 pandemic, codifying the use of virtual hearings going forward will create operational efficiency without undercutting the decision-making services provided to vulnerable populations. Many stakeholders, such as SDMC administrative staff and panel volunteers, have stated their support for holding hearings virtually instead of traveling to the patient's residence. Spending less time in travel status to a patient's residence allows for better allocation of SDMC staff responsibilities and volunteer panelists' time. The convenience of not traveling allows for greater ease in locating times for panelists, the patient's care team, and the patient themselves to attend the hearing. Removing travel expenses would make the program more cost-effective while maintaining the same level of speed with which SDMC staff respond to a request for an SDMC hearing.

4. Costs: SDMC currently uses Webex for virtual meetings, so the proposed rules will impose no additional costs on the agency, State and local governments, or regulated community.

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

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

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

8. Alternatives: The considered alternative was to continue the current practice. The proposed amendments are superior because they provide flexibility to offer in-person or virtual hearings and align regulations with current practices for SDMC hearings.

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

10. Compliance schedule: These regulations do not incorporate compliance schedules on regulated parties. The proposal will be effective upon publication of the Notice of Adoption in the State Register.

#### Regulatory Flexibility Analysis

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

#### Rural Area Flexibility Analysis

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

#### Job Impact Statement

A Job Impact Statement is not required because the rule will not have a substantial adverse impact on jobs and employment opportunities because it amends the scope of existing Surrogate Decision Making Committee (SDMC) hearings and creates no reduction in jobs. The rule will have no impact on jobs and employment opportunities because it amends the existing process for SDMC hearings.



## Public Service Commission

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

#### Notice of Intent to Submeter Electricity

**I.D. No.** PSC-47-24-00006-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 East 88 Owner LLC to submeter electricity at 288 East 88th Street, New York, New York.

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

**Subject:** 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 East 88 Owner LLC (Owner) on October 1, 2024, seeking authority to submeter electricity at a new rental building with fair-market units at 288 East 88th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice of intent, East 88 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 of electricity to residents is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

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

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

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

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

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

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

(24-E-0549SP1)

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

#### Clean Energy Standard's Zero Emission by 2024 Target

**I.D. No.** PSC-47-24-00007-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 Department of Public Service staff's proposal offering definitions to key terms in the Climate Leadership and Community Protection Act, and to establish an evaluation process for achieving the zero emissions by 2040 target.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), (2), 66(2), 66-p; New York Energy Law, section 6-104(5)(b)

**Subject:** Clean Energy Standard's Zero Emission by 2024 target.

**Purpose:** To establish definitions of key terms and an evaluation process for achieving the zero emissions by 2040 target.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a proposal filed by Department of Public Service Staff (Staff) on November 4, 2024, seeking to establish definitions of key terms in the provisions of the Climate Leadership and Community Protection Act (Climate Act), and further seeking to establish a process to evaluate achievement of the target that the statewide electrical demand system be zero emissions by 2040 (2040 Target), consistent with the provisions of Public Service Law Public Service Law (PSL) § 66-p (Proposal).

The Climate Act is codified in PSL § 66-p, which directs the Commission to establish a program pursuant to which the statewide electrical demand system will be zero emissions by the year 2040, but does not define the terms "statewide electrical demand system" nor "zero emissions." The Proposal offers proposed definitions of both terms and further recommends the establishment of a process to track progress towards achieving the 2040 Target consistent with the PSL.

The Proposal discusses the scope of the Commission's jurisdiction and proposes that all resources encompassed within that jurisdiction be included in the "statewide electrical demand system." The Proposal asserts that the PSL grants the Commission jurisdiction, in at least some respects, over all segments of the grid, including generation, transmission facilities, distribution facilities, as well as to some distributed generation resources located behind the meter (BTM). The Proposal recognizes a limitation to the Commission's jurisdiction over companies or resources that delivers electric service to a location outside of New York State.

With respect to BTM resources, the Proposal explains that the Commission generally does not exert jurisdiction over BTM transactions where the energy is generated on the premises of the customer and is supplied directly to the customer and consumed on the customer's premises without ever passing through a utility/municipal utility company/public authority transmission or distribution system. However, a BTM resource would come within the Commission's jurisdiction once it participates in transactions that involve power flowing from that resource through a meter and into the grid for use by others. The Proposal asserts that any resource that is subject to an interconnection agreement and potentially participates directly in grid operations would fall under Commission jurisdiction. According to the Proposal, the Commission also has authority over resources whose generation of electricity is compensated through a Commission-authorized program, such as net energy metering, the Value of Distributed Energy Resources program, or utility-operated demand response programs. Conversely, the Proposal argues that backup generation that is not interconnected and not directly involved in metered transactions that rely on the grid as a conduit for the delivery of electricity would be beyond the Commission's jurisdiction. In analyzing the language of PSL § 66-p(2), the Proposal reads the legislature's use of "system" in the term "statewide electrical demand system" as reflective of an intent to not encompass every power-generating resource in the state, but only those that participate in the operation of the statewide electric grid and do so in a routinized or systematic way.

Next, the Proposal recommends that the 2040 Target incorporate imports of electricity as such inclusion would be consistent with the Climate Act and would facilitate coordination among the several agencies whose work bears upon progress toward the target. The Proposal cautions however that the inclusion of imports of electricity is not as straightforward as the inclusion of generation and energy storage resources, in part due to limitations on jurisdiction imposed by federal and state law. As the Proposal explains, federal law grants the federal government jurisdiction over conflicting state laws and also grants the federal government exclusive authority over interstate commerce, thus limiting any conditions the Commission might impose on both out-of-state emitting generation resources from which electricity is imported into New York, or in-state resources that wish to export electricity to other states. Moreover, the Proposal explains that the Commission's jurisdiction is in some respects limited by state law, noting that the Commission does not have the ability to govern the siting, construction, or operation of interconnected bulk power system generation resources outside New York. To track emissions associated with imports of electricity, the state currently: (1) assigns an emissions factor to electricity generation in each of the four regions to which the New York Control Area is connected by transmission lines; (2) tallies the net flow of energy between those regions; and (3) applies the appropriate emissions factors to the volume of net imports, if they exist, to calculate emissions attributable to imports from each region. The Proposal recommends a modification to this existing practice recognizing the unavoidable fact that power will flow between New York and its neighbors and that generation in any neighboring jurisdictions has an impact on the energy balance in New York. The Proposal recommends that when a zero emission resource in another jurisdiction can be shown to have dispatched into New York, it should also not be counted against imports into New York, and that the Commission find in a given year that imports are in compliance with the 2040 Target if adjusted net imports are equal to or less than 0. Staff encourages the Commission to treat application of the 2040 Target

to electricity imports as an important indicator for planning purposes, and not as a hard restriction to be used to impose limits to try to offset emissions attributable to net electricity imports.

In defining what is meant by “zero emissions,” the Proposal seeks to address: (1) whether non-greenhouse gas emissions count; (2) which aspects of a resource’s emissions profile to count; (3) whether and how to count emissions from fuel production processes that arguably occur outside the power sector; (4) whether the emissions attributed to a resource should be counted on a gross basis or on a net basis that recognizes the potential for use of particular feedstocks to reduce or wholly avoid emissions that would occur otherwise; (5) how “zero” should be applied as a threshold; and (6) the significance of the Climate Act’s categorization of a fuel cell that does not consume fossil fuels as a “renewable” resource. The Proposal recommends that the Commission interpret “zero emissions” to refer to greenhouse gases only and not to emissions of other air pollutants given the full reading of the Climate Act and its legislative findings. The Proposal suggests that the Commission should consider emissions from both a resource’s operations and its fuel production process, but not consider emissions arising from all activities relating to a given resource into its emissions standard, excluding emissions associated with transportation, manufacturing, or construction activities related to the energy resources.

The Proposal explains that the Commission must determine whether to employ a gross accounting of emissions or allow for netting, and offers distinctions between “zero” and “net zero,” both terms that are included in the Climate Act. The Proposal asserts that the Climate Act did not give the Commission discretion to adopt net emissions accounting for power sector resources or resources that generate energy by consuming primary fuels in a way that involves the avoidance or reduction of emissions at another time or place or in another sector. Instead, the Proposal recommends that the Commission count emissions from greenhouse gas emitting sources on a gross basis.

With respect to fuel cells, the Proposal recommends that the Commission permit fuel cells fed by non-fossil fuels, including hydrogen and biofuels, to operate in compliance with the 2040 Target’s “zero emissions” standard, so long as the production of electricity by those fuels does not involve fossil fuels.

PSL § 66-p(2) requires the Commission to consider, among other things, impacts on the provision of safe and adequate electrical service. The Proposal offers that clarification is needed to determine how the Commission should evaluate these impacts and how the Commission should evaluate the role potential technologies will play in achieving the 2040 Target.

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](http://www.dps.ny.gov). The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve other related matters.

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

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

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

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

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

(15-E-0302SP67)

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## State University of New York

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

#### **Proposed Amendments to the Traffic and Parking Regulations at State University of New York at Canton**

**I.D. No.** SUN-47-24-00004-P

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

**Proposed Action:** Amendment of sections 571.2, 571.3 and 571.4 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 360(1) and 362

**Subject:** Proposed amendments to the traffic and parking regulations at State University of New York at Canton.

**Purpose:** Amend existing regulations to update traffic and parking regulations.

**Text of proposed rule:** Sec. 571.2. Parking regulations

(a) No person shall park a vehicle in any area except those areas specifically designated as motor vehicle lots or spaces. Where campus parking areas have been designated, respectively, for students, employees or visitors, as the case may be, no motor vehicle shall be parked in a designated parking area other than the parking area to which such registrant or visitor has been assigned. Special parking permission may be granted in extraordinary circumstances by the chief of university police. The chief of university police may also restrict parking in designated areas due to extraordinary circumstances such as weather conditions, special campus events, construction, etc., provided that notice of such restrictions be published in campus communications and/or appropriate signs be erected.

(1) All students will be required to park in student parking lots 1, 3, 4, 6, [or] 7, 13, 23 and 24 or any other area as designated by the chief of university police. Students may also park in that portion of French Hall designated “15 minute temporary parking [with flashers on]”. [Commuter students may also park in that portion of Miller Campus Center parking lot designated as “commuter student parking.”]

(2) Students are not to park in the following areas at any time. Violators will be ticketed and their vehicles may be towed away at the owner’s expense:

- (i) east and west side of Nevaldine Hall;
- (ii) Payson Drive east of Payson Hall;
- (iii) service drive and the parking area east of Chaney Dining Center;

- (iv) service drives and parking area east of each residence hall;
- (v) Wicks and Faculty office parking lot 5, in its entirety;
- (vi) French Hall parking lot;
- (vii) no student shall park or cause a vehicle to be parked on the premises of the university during periods when the college is not in session;

- (viii) on any area of the academic plaza;
- (ix) Dana Hall parking lot;
- (x) east of Southworth Library;
- (xi) Cook Hall parking lot;
- (xii) any portion of Cornell Drive;
- (xiii) Newell Hall parking lot;
- (xiv) Cooper Complex parking lot;
- (xv) university police parking lot; and
- (xvi) northeast side of Campus Center.

(3) *Employees may utilize all parking lots unless otherwise restricted.* [All employees assigned to Payson Hall, Cook Hall, Richard W. Miller Campus Center, Wicks Hall, and the Faculty Office Building will park in parking lot 5, 6 or 7. Employees with special permits issued by the chief of university police can park in Miller Campus Center parking lot or Payson Hall parking lot.] Residence hall directors of Heritage, Rushton, [and] Mohawk, *Smith and Kennedy* residence halls will park in the designated areas. [of the service drives on the east side of each hall. Smith Residence Hall director and custodial staff will park in parking lot 1.] Custodial staff of [Heritage, Rushton and Mohawk] residence halls will park in designated areas. [of the service drives on the east side of each hall. Chaney Dining Center employees will park in the parking area on the southeast side of Chaney Dining Hall. Southworth Library employees will park on the east side of Southworth Library. Nevaldine Hall employees will park on either the east or west side of that building, lots 10A and 10B. Cooper Service Building employees will park in designated areas of that building’s parking lot. French Hall employees will park in the French Hall parking lot or lot 6 or 7. University police employees will park in the parking lot adjacent to the university police building. Veterinary science building employees will park in Nevaldine parking lot or Newell parking lot.]

(4) Employees are not to park in the following areas at any time. Violators will be ticketed and their vehicles may be towed away at the owner’s expense:

- (i) [any area designated in paragraph (a)(1) of this section, except student parking lots 6 and 7; or
- (ii)] on any area of the academic plaza; or
- (ii[i)] on any portion of Cornell Drive.

(b) No person shall park a motor vehicle within their designated parking area other than within the space for the parking or standing of a motor vehicle as indicated by posted signs, pavement markings, or painted lines restricting or limiting such parking.

(c) No person shall park a vehicle on the premises of the university in

such manner as to interfere with the use of a fire hydrant, fire lane, or other emergency zone, create any other hazard or unreasonably interfere with the free and proper use of a roadway or pedestrian way. Any person, except those having express permission of the chief of university police or designee, who parks in areas restricted by signs or fails to properly register their vehicle, will be ticketed and their vehicle may be towed away at the owner's expense.

(d) No person shall park or cause a vehicle to be parked in spaces marked as *accessible* [handicapped] parking spaces unless an appropriate permit for *accessible*[handicapped] parking is displayed.

Sec. 571.3. Traffic regulations

(a) Operation of vehicles on or off campus must conform with all State and municipal regulations as well as college regulations. The Vehicle and Traffic Law shall apply upon such premises notwithstanding any reference in such law to public highways, streets, roads, or sidewalks.

(b) A complaint regarding any violation of the Vehicle and Traffic Law or any traffic ordinance applicable on such premises shall be processed in accordance with the requirements of applicable law. All violations other than parking are handled through uniform traffic tickets, which are answerable to the [Village] *Town Justice*, [Village] *Town of Canton*.

(c) The speed limit on all college roads is as posted. No person shall drive a vehicle on university streets, roads or highways at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing, but in no event shall a person drive a vehicle in excess of 30 miles per hour unless a different speed is authorized and indicated by the university.

(d) All vehicles are excluded from all pedestrian walkways, except service and emergency vehicles specifically authorized by the chief of university police, or designee.

(e) The following roadways are designated for one-way traffic:

(1) The southerly Cooper Service Complex Exit Drive for traffic proceeding in a westerly direction only.

(2) The easterly driveway from parking lot 1 for traffic proceeding in a southerly direction only.

(3) The easterly driveway from parking lot 3 for traffic proceeding in a northerly direction only.

(f) The following roadways are designated as stop intersections with the erection of stop signs as indicated below:

Intersection of	With stop sign on	Entrance from
(1)[ Route 68 and Cornell Drive	Westerly side of Cornell Drive	North
(2)] Cornell Drive	Westerly Cooper Service Complex Exit Drive	East
(2[3]) Cornell Drive	Westerly Drive to Nevaldine Hall	North
(3[4]) Cornell Drive	Easterly Drive to Nevaldine Hall	North
(4[5]) Cornell Drive	Miller Drive from Parking Lot 1	North
(5[6]) Cornell Drive	Easterly Driveway from Parking Lot 1	North
(6[7]) Cornell Drive	Southerly Driveway from Chaney Dining Hall	Northwest
(7[8]) Cornell Drive	Northerly Driveway from Chaney Dining Hall	Southwest
(8[9]) Cornell Drive	Payson Drive from Parking Lot 3	Southeast
(9[10]) Cornell Drive	Driveway from Parking Lot 4	Northwest
(10[11]) Cornell Drive	Three Driveways from Parking Lot 5	East
(11[12]) Cornell Drive	Driveway from Dana Hall	Southeast
(12[13]) Cornell Drive	Northerly Driveway from French Hall	Southeast
(13[14]) Cornell Drive	Southerly Driveway from French Hall	Northeast
(14[15]) Cornell Drive	Driveway from Parking Lot 6	West
(15[16]) Cornell Drive	Driveway from Parking Lot 7	East
(16[17]) Easterly "Y" Spur Roadway	"Y" Crossover Roadway	Northwest
(17[18]) Westerly "Y" Spur Roadway	Easterly "Y" Spur Roadway	Northeast

Intersection of	With stop sign on	Entrance from
(18[19]) Westerly "Y" Spur Roadway	"Y" Crossover Roadway	Southeast
(19[20]) Miller Drive	Driveway from Newell Hall	East
(20[21]) Miller Drive	Driveway from Southworth Library	West
(21) Cornell Drive	Kennedy East	South
(22) Cornell Drive	Kennedy West	East
(23) Lot 4 West	Four parking lanes	East
(24) Lot 4 East	Four parking lanes	West
(25) Lot 4 West Exit		East
(26) Lot 4 East Exit		North

(g) The following intersection[s] are designated as a yield intersection[s] with the erection of yield signs as indicated below:

Intersection of	With yield sign on	Entrance from
(1) Cornell Drive	Driveway from Cooper Service Complex	South
[(2) Miller Drive Westerly driveway from Miller Campus Center North]		

(h) Standing is prohibited on all roadways on the grounds of the State University of New York, College of Technology at Canton, Village of Canton, St. Lawrence County.

(i) The following locations are Labeled with Cross Walk Signs: Roadways/Building With Crosswalk Sign facing

- (1) Payson Drive West end West
- (2) Payson Drive East End West
- (3) Payson Drive Lot 3 East
- (4) French Hall Cornell Drive 2 entrances South
- (5) French Hall Cornell Drive 2 entrances North
- (6) Burma Road Cornell Drive East
- (7) Burma Road Cornell Drive West
- (8) Cornell Drive Payson Drive North
- (9) Cornell Drive Payson Drive South
- (10) Kennedy Hall Cornell Drive North
- (11) Kennedy Hall Cornell Drive South
- (12) Miller Drive East
- (13) Miller Drive West
- (14) Lot 4 Road East East
- (15) Lot 4 Road East West
- (16) Lot 4 Road West North
- (17) Lot 4 Road West South
- (18) Lot 4 Road North South
- (19) Lot 4 Road North North

Sec. 571.4. Enforcement

(a) Tickets for violations must be issued only by members of the university police department.

(1) A complaint regarding any violation of the campus regulations shall be in writing reciting the time and place of the violation and the title, number or substance of the applicable rule.

(2) The complaint must be affirmed by the officer witnessing the violation and shall be served upon the violator or attached to the vehicle involved.

(3) The complaint shall indicate the amount of the fine assessable for the violation[,] and advise that if the person charged does not dispute the violation, fines must be paid within five business days after the date the ticket is issued.

(4) The complaint shall recite that, if the charge is disputed, an appeal hearing may be requested after paying the fine within five business days from the date the ticket was issued.

(5) The complaint shall recite that, should the alleged violator fail to act within the period prescribed in paragraph (3) and (4) of this subdivision, the complaint is proved. [and shall warrant that grades and transcripts will be withheld in the case of students and] D[deduction will be made from salary or wages in the case of employees of the college. In all other cases, unpaid fines shall be referred to the office of the Attorney General for collection.

(b) If the violator disputes the charge and requests an appeal hearing, an appeal form will be supplied which will be used to schedule the offender before the campus parking violation appeals board. If the board finds the



ticket was unwarranted, then the refund will be authorized. Appeals must be requested within five business days from the date of the ticket. Any person who does not appear before his or her scheduled appeals board meeting will forfeit his or her right of appeal. This means that the complaint is proved.

(c) The penalty for violation of these regulations is:

(1) a \$15 fine for each violation; and

(2) a \$50 fine for violation of an *accessible* [handicapped] designated space.

Upon a finding that five campus parking violations have been incurred during an academic year, the campus motor vehicle registration may be revoked with a loss of parking privileges for the balance of the academic year and may result in the vehicle being towed from the campus at the violator's expense.

(d) Three or more unanswered complaints in an 18-month period by the same person regarding violations of a campus parking rule, shall result in a referral to the New York State Commissioner of Motor Vehicles for review in considering the renewal of an operator's license and/or a motor vehicle registration, and the imposition of a fee as approved by the campus president or designee, or by the Board of Trustees, as the case may be, to meet the administrative costs of such referral.

**Text of proposed rule and any required statements and analyses may be obtained from:** Lisa Campo, State University of New York, System Administration, State University Plaza, S-313, Albany, NY 12246, (518) 320-1400, email: Lisa.Campo@SUNY.edu

**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: Education Law § 360(1) authorizes the State University Trustees to make rules and regulations relating to parking, vehicular and pedestrian traffic and safety on the State-operated campuses of the State University of New York.

2. Legislative objectives: The present measure makes technical amendments to the parking and traffic regulations applicable to the State University of New York at Canton.

3. Needs and benefits: The amendments are necessary to update existing regulations as a result of changes.

4. Costs: None.

5. Local government mandates: None.

6. Paperwork: None.

7. Duplication: None.

8. Alternatives: There are no viable alternatives.

9. Federal standards: There are no related Federal standards.

10. Compliance schedule: The College at Canton will notify those affected as soon as the rule is effective. Compliance should be immediate.

#### **Regulatory Flexibility Analysis**

No regulatory flexibility analysis is submitted with this notice because this proposal does not impose any requirements on small businesses and local governments. This proposed rule making will not impose any adverse economic impact on small businesses and local governments or impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments. The proposal addresses internal parking and traffic regulations on the campus of the State University of New York at Canton.

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

No rural area flexibility analysis is submitted with this notice because this proposal will not impose any adverse economic impact on rural areas or impose any reporting, record keeping or other compliance requirements on public or private entities in rural areas. The proposal addresses internal parking and traffic regulations on the campus of the State University of New York at Canton.

#### **Job Impact Statement**

No job impact statement is submitted with this notice because this proposal does not impose any adverse economic impact on existing jobs or employment opportunities. The proposal addresses internal parking and traffic regulations on the campus of the State University of New York at Canton.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
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.
ENV-07-24-00016-RP .....	Environmental Remediation Programs – State Superfund Program, Brownfield Cleanup Program, and Environmental Restoration Program	<p>Virtual via Webex—January 7, 2025, 3:30 p.m.</p> <p>The Department of Environmental Conservation (DEC) noticed the proposed 6 NYCRR Part 375, Environmental Remediation Programs, in Volume XLVI, Issue 7 of the NYS Register on February 14, 2024. DEC conducted two comment hearings on May 15, 2024, and held a 97-day comment period, which ended on May 21, 2024. All public comments were considered, and DEC did not make any substantive changes to the text of the proposed rulemaking. One commenter noted a discrepancy in the Part 375-6.8 tables. DEC is issuing this revised rulemaking to correct these discrepancies.</p> <p>DEC will hold a public comment hearing on the proposed revisions to 6 NYCRR Part 375, Environmental Remediation Programs, on January 7, 2025, at 3:30 p.m., via electronic webinar. The public comment period will be open until January 15, 2025.</p> <p>Instructions on how to join the hearing webinar and provide an oral statement will be published on the DEC’s proposed regulations webpage for 6 NYCRR Part 375. The proposed regulations webpage for 6 NYCRR Part 375 may be accessed at: <a href="https://www.dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations">https://www.dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations</a>.</p> <p>Persons who wish to receive the instructions by mail or telephone may call the Department’s Office of Hearings and Mediation Services at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 375 public comment hearing.</p> <p>Language interpretation services shall be made available to persons with limited English proficiency or hearing impairment, including American Sign Language at no cost. Requests must be received 10 calendar days before the hearing, 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), e-mail (<a href="mailto:language@dec.ny.gov">language@dec.ny.gov</a>), or telephone (518) 402-8028.</p>

ENV-43-24-00014-P ..... Endangered and Threatened Species Mitigation Bank Fund

The public comment period for Part 375 is open until 8:00 p.m., January 15, 2025. Comments may be entered during the hearing, e-mailed to [derweb@dec.ny.gov](mailto:derweb@dec.ny.gov), or mailed to NYS DEC, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233, Attn: Jenn Dawson. Please include "Part 375 Comments" in the subject or memo line of the correspondence.

Virtual Via Webex—January 8, 2025, 1:00 p.m.

Registration Link:  
<https://meetny-gov.webex.com/weblink/register/r77a821084c6b1529545f60cf1110194e>  
Webinar Number: 2826 445 1316  
Webinar Password: Welcome1  
Join by phone only: Call 1-415-527-5035.  
Enter access code 2826 445 1316 and password 93526631.

Virtual Via Webex—January 8, 2025, 6:00 p.m.

Registration Link:  
<https://meetny-gov.webex.com/weblink/register/r97ff84c56245daa33cbd96688e165404>  
Webinar Number: 2822 157 0021  
Webinar Password: Welcome1  
Join by phone only: Call 1-415-527-5035.  
Enter access code 2822 157 0021 and password 93526631

When you register, you will be asked whether you wish to make a public statement. Once registration is complete, you will receive an email confirmation regarding how to join the hearing.

Persons wishing to comment on the proposed rulemaking at the virtual hearings on January 8, 2025, must register to speak no later than 4:00 p.m. on January 7, 2025. The ALJ may limit the amount of time each speaker has to comment to ensure that all individuals have an opportunity to be heard. Any person may listen to the hearing by phone without pre-registration. This hearing will be held virtually on WebEx.

All participants will be muted upon entry into the hearing. The ALJ will call each person who has registered to speak in the order in which they registered. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. We recommend that lengthy comments be summarized for oral presentation and submitted in writing as provided below. Equal weight will be given to oral and written comments. The hearing will be recorded for inclusion in the record.

Interpreter and translation services shall be made available to deaf persons and persons with limited English proficiency at no cost. Requests must be received by December 24, 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 by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), e-mail (language@dec.ny.gov), or phone (518) 402-8028.

Via electronic webinar—January 21, 2025, 2:00 p.m.  
Registration Link: <https://meetny-gov.webex.com/weblink/register/r33497d551f93827018aad53246c540bf>  
Webinar Number: 2829 295 2350  
Webinar Password: Welcome1  
Join by phone only: Call 415-527-5035. Enter access code 2829 295 2350 and password 93526631

Via electronic webinar—January 21, 2025, 6:00 p.m.  
Registration Link: <https://meetny-gov.webex.com/weblink/register/r64c79b5aec18ace685330b2815feeb79>  
Webinar Number: 2825 240 2648  
Webinar Password: Welcome1  
Join by phone only: Call 415-527-5035. Enter access code 2825 240 2648 and password 93526631

Two virtual public comment hearings for the proposed rulemaking will be held on January 21th at 2:00 pm and 6:00 pm Eastern Standard Time, before Administrative Law Judge (ALJ) Molly McBride via WebEx electronic webinar. At the public comment hearing, Judge Molly McBride will receive unsworn statements from the public on the Notice of Proposed Rule Making (NPR) All persons, organizations, corporations, or government agencies that may be affected by the proposed regulation are invited to attend the hearing and to submit oral comments. Attendees wishing to comment on the proposed rulemaking at the virtual hearing must register using the link included below no later than 4:00 p.m. on January 20, 2024.

When you register, you will be asked whether you wish to make a public statement. Once registration is complete, you will receive an email confirmation regarding how to join the hearing. All participants will be muted upon entry into the hearing. Speakers will be called in the order they registered, with elected officials being called first. The ALJ may restrict the time available to ensure that all persons will have an opportunity to be heard or other reasonable arrangements have been made to include their comments in the record. It is recommended that lengthy comments be submitted in writing. Equal weight will be given to both oral and written comments. The hearing will be recorded for inclusion in the record.

ENV-47-24-00003-P ..... Forest Tax Law

Interpreter and translation services shall be made available to deaf persons and persons with limited English proficiency at no cost. Requests must be received 10 calendar days before the meeting, 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 by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), e-mail (language@dec.ny.gov), or phone (518) 402-8028

**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-39-24-00010-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-39-24-00011-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-39-24-00012-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-39-24-00013-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-39-24-00014-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.

LPA-45-24-00007-P ..... Retail Energy Storage Procurement and Residential Energy Storage Programs

H. Lee Dennison Bldg., Hauppauge, NY—January 6, 2025, 10:00 a.m.

Long Island Power Authority, Uniondale, NY—January 6, 2025, 6:00 p.m.

**Public Service Commission**

PSC-42-24-00006-P ..... Proposed Major Rate Increase in Electric Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—January 7, 2025, 1:00 p.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 24-E-0461.

PSC-42-24-00007-P ..... Proposed Major Rate Increase in Gas Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—January 7, 2025, 1:00 p.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 24-G-0462.

PSC-42-24-00011-P ..... Major Rate Increase in Annual Gas Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—December 17, 2024, 1:00 p.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 24-G-0447.





**ACTION PENDING INDEX**

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>00001</b>	<b>P</b>

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

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

AAM-42-24-00002-P	..... 10/16/25	Agricultural water standards for growing, harvesting, packing, and holding of produce for human consumption	Adopt the updated 21 CFR Part 112 standards
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**ATHLETIC COMMISSION, NEW YORK STATE**

ATH-46-24-00024-P	..... 11/13/25	The elimination of the "12-6" elbow strike as an enumerated foul	To conform the New York regulations with the Unified Rules of Mixed Martial Arts
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**AUDIT AND CONTROL, DEPARTMENT OF**

AAC-41-24-00027-P	..... 10/09/25	Public Access to Department Records	Repeal and update outdated regulations.
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**BRIDGE AUTHORITY, NEW YORK STATE**

SBA-47-24-00001-P	..... 11/20/25	Use of NYSBA property and rights-of way	To regulate the use of NYSBA property and roadway rights of way for utility location and routing
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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
OCM-43-24-00001-P	..... 10/23/25	Subject: Adult Use Dispensaries--Standards for Public Convenience and Advantage	Amends factors the Cannabis Control Board shall consider to determine public convenience and advantage

**Action Pending Index****NYS Register/November 20, 2024**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-41-24-00002-P	10/09/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-24-00003-P	10/09/25	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-41-24-00004-P	10/09/25	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-41-24-00005-P	10/09/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-41-24-00006-P	10/09/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-41-24-00007-P	10/09/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-24-00008-P	10/09/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-24-00009-P	10/09/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-24-00010-P	10/09/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-41-24-00011-P	10/09/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-24-00012-P	10/09/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-24-00013-P	10/09/25	Jurisdictional Classification	To classify positions in the exempt class and in the non-competitive class.
CVS-41-24-00014-P	10/09/25	Jurisdictional Classification	To delete positions from the exempt class.
CVS-41-24-00015-P	10/09/25	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-41-24-00016-P	10/09/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-41-24-00017-P	10/09/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-24-00018-P	10/09/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-41-24-00019-P	10/09/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-24-00020-P	10/09/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-24-00021-P	10/09/25	Jurisdictional Classification	To classify a position in the exempt class; to delete a position from and to classify positions in the non-competitive class
CVS-46-24-00001-P	11/13/25	Jurisdictional Classification	To classify a position in the exempt class.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-46-24-00002-P	11/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-46-24-00003-P	11/13/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-46-24-00004-P	11/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-46-24-00005-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00006-P	11/13/25	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-46-24-00007-P	11/13/25	Jurisdictional Classification	To delete a position from the exempt class.
CVS-46-24-00008-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00009-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00010-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00011-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00012-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00013-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00014-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00015-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00016-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00017-P	11/13/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-46-24-00018-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00019-P	11/13/25	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-46-24-00020-P	11/13/25	Jurisdictional Classification	To classify positions in the exempt class.

**COMMISSIONER OF PILOTS, BOARD OF**

COP-43-24-00002-P	exempt	Adjusting rates to address market conditions.	The regulation will provide consistent pricing across the current fee structure.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-41-24-00001-P	10/09/25	Contraband Drug Testing	To further clarify the process and procedure for the testing of suspected contraband drugs
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-46-24-00023-P	11/13/25	Empire State 9/11 Notice Program	Notify businesses/employees impacted by 9/11 of their potential eligibility for compensation/ care under certain federal programs
<b>EDUCATION DEPARTMENT</b>			
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-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
EDU-43-24-00010-P	10/23/25	District superintendents.	To clarify the responsibilities and employment conditions for district superintendents.
EDU-43-24-00011-P	10/23/25	Certification examination requirements and waiver options.	Allow candidates to meet examination requirements in various ways and establish waiver options for certain certificates.
EDU-43-24-00012-P	10/23/25	The authorization of degrees.	Adds the Doctor of Acupuncture Degree as a registered degree in New York State.
EDU-47-24-00008-EP	11/20/25	Evaluation of Classroom Teachers and Building Principals.	Implement Chapter 143 of the Laws of 2024 which, among other things, establishes a new evaluation system
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
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-RP	05/15/25	Environmental Remediation Programs - State Superfund Program, Brownfield Cleanup Program, and Environmental Restoration Program	To amend the Environmental Remediation Program regulations, 6 NYCRR Part 375
ENV-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-18-24-00024-P	07/09/25	Listing process, jurisdiction determination and permit procedures pertaining to Endangered and Threatened species	To repromulgate previous amendments made in 2010 and 2021 in accordance with court decision requiring public hearing
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
ENV-43-24-00014-P	01/08/26	Endangered and Threatened Species Mitigation Bank Fund	Promulgate rules governing the use of the Endangered Species Mitigation Bank Fund
ENV-47-24-00003-P	01/21/26	Forest Tax Law	Improving and sustainably managing New York's forest resources and lessening the administrative burden on participants/DEC staff
<b>ENVIRONMENTAL FACILITIES CORPORATION</b>			
EFC-47-24-00009-P	11/20/25	CWSRF program co-administered by DEC and the NYS Environmental Facilities Corporation (EFC)	To update and modernize the priority ranking system scoring criteria for projects receiving financial assistance from CWSRF
<b>ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON</b>			
ELG-47-24-00005-EP	11/20/25	Ethics Training for Lobbyists and Clients	To eliminate the need for an organization's Responsible Party to retain a completed and executed affidavit of training completion and instead require the Responsible Party to retain an executed training completion form
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value

## Action Pending Index

NYS Register/November 20, 2024

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-08-24-00001-RP	02/20/25	Network Adequacy and Access Standards	To establish network adequacy and access standards and other protections to improve access to behavioral health services
DFS-13-24-00003-P	03/27/25	Definitions, licensing of PBMs, contracting with network pharmacies, acquisition of PBMs, consumer protections, and audits	Establish definitions, licensing, contracting with pharmacies, acquisition of PBMs, consumer protections, and audit regulations
DFS-43-24-00003-P	10/23/25	Financial Statement Filings and Accounting Practices and Procedures	To update reference to NAIC AP&P Manual as of date from March 2023 to March 2024.
<b>GAMING FACILITY LOCATION BOARD, NEW YORK</b>			
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.
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-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-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.
<b>JUDICIAL CONDUCT, STATE COMMISSION ON</b>			
JDC-39-24-00003-P	09/25/25	Summary determination	Streamline the process by which the Commission considers motions for summary determination.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS</b>			
JCP-44-24-00003-P	10/30/25	Making Justice Center regulations gender neutral	To update language in Justice Center regulations to be gender neutral, pursuant to General Construction Law section 22
JCP-47-24-00002-P	11/20/25	Modernizing SDMC Hearings	To clarify and modernize the venue of Surrogate Decision Making Committee hearings to use current technologies
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*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



## Action Pending Index

NYS Register/November 20, 2024

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
LPA-29-24-00003-P	..... exempt	IEDR Limitation of Liability	LIPA proposes to modify the Tariff to limit liability consistent with tariff amendments filed by the Joint Utilities.
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.
LPA-45-24-00007-P	..... exempt	Retail Energy Storage Procurement and Residential Energy Storage Programs	To clarify how costs associated with Retail Energy Storage Procurement and Residential Energy Storage Programs are recovered
<b>MENTAL HEALTH, OFFICE OF</b>			
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.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
MTV-42-24-00010-P	10/16/25	ATV - Safety Courses and Safety Certificates	Establish All-Terrain Vehicle (ATV) information,safety education and training programs, and issuance of ATV safety certificates.
MTV-42-24-00012-P	10/16/25	Limited Use Motorcycle Dealers	To align the regulations with statute
<b>NIAGARA FALLS WATER BOARD</b>			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
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.
PDD-45-24-00001-P	11/06/25	Emergency Preparedness Plan	To ensure providers are prepared for emergency situations
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-44-24-00002-P	exempt	Rates for the Sale of Power and Energy	To align rates and costs
<b>PROSECUTORIAL CONDUCT, COMMISSION ON</b>			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures



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

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

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

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



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

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

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

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



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

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

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

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y



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

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

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

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



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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00026-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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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



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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-39-21-00007-P	..... exempt	The proposed alternative method of account identification	To facilitate secure customer data exchanges between the utility or provider and energy service entities
*PSC-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-05-23-00001-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00002-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00009-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00012-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-17-23-00003-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-25-23-00009-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-35-23-00015-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-35-23-00020-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
*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 tarified 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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-48-23-00007-P	..... exempt	Petition to amend bill estimation procedures for AM	To have more accurate billing & reduce adjustments
PSC-51-23-00004-P	..... exempt	Proposed revisions related to to the Integrated Energy Data Resource platform	To ensure consistency between utility tariffs and the Commission's orders regarding the Integrated Energy Data Resource
PSC-52-23-00009-P	..... exempt	Minor water rate filing to increase annual water revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-01-24-00015-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-01-24-00018-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-02-24-00002-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
PSC-02-24-00004-P	..... exempt	Water rates and charges	To ensure customers are provided safe and adequate service at just and reasonable rates
PSC-02-24-00005-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
PSC-03-24-00005-P	..... exempt	Request to defer cost of a Cost of Service and Rate Model Study	To determine whether FIEC can defer the cost of a Cost of Service and Rate Model Study
PSC-03-24-00008-P	..... exempt	Pole attachment charges	To provide pole attachment services at just and reasonable rates
PSC-05-24-00003-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-06-24-00007-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

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-07-24-00020-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00022-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00024-P	..... exempt	Energy efficiency and building electrification programs	To implement potential change to energy efficiency programs
PSC-07-24-00025-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00026-P	..... exempt	Community Distributed Generation	To consider CDG billing and crediting performance metrics and associated negative revenue adjustments
PSC-07-24-00027-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00028-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00029-P	..... exempt	Energy efficiency and building electrification programs	To implement potential changes to building electrification program
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-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-14-24-00015-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-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-17-24-00007-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-18-24-00007-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-18-24-00010-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-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-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-21-24-00008-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-21-24-00011-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-21-24-00014-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-22-24-00008-P	..... exempt	Petition for rehearing, reconsideration, and clarification of provisions in the DLM Order related to performance payments	To clarify the directives of the DLM Order as to National Grid's obligation to make performance payments to certain customers
PSC-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-25-24-00007-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-26-24-00004-P	..... exempt	Petition for clarification of and a determination of compliance	To ensure adequate consumer protections are in place
PSC-26-24-00007-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.
PSC-27-24-00003-P	..... exempt	Net Metering Rules.	To consider the proper treatment of banked remote net metering credits.
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-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-30-24-00005-P	..... exempt	Automated meter reading technology.	To consider and review reasonableness of proposal and cost recovery.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-30-24-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-30-24-00008-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-31-24-00010-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-32-24-00034-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.
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.

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<b>PUBLIC SERVICE COMMISSION</b>			
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.
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.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
PSC-41-24-00022-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-41-24-00023-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-24-00024-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-24-00025-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-41-24-00026-P	..... exempt	A process for considering specific meter socket adapter devices.	To provide rules that ensure safe and adequate service at just and reasonable rates.
PSC-42-24-00003-P	..... exempt	To define "ICAP Market Peak Hour" as the peak hour of the New York Control Area during non-holiday weekdays in July or August.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-24-00004-P	..... exempt	To define "ICAP Market Peak Hour" as the peak hour of the New York Control Area during non-holiday weekdays in July or August.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-24-00005-P	..... exempt	To define "ICAP Market Peak Hour" as the peak hour of the New York Control Area during non-holiday weekdays in July or August.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-24-00006-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-42-24-00007-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-42-24-00008-P	..... exempt	Proposed plan to extend a low-income broadband program and establish a \$5M low-income promotional fund.	To ensure the continuation of a low-income broadband program in Altice USA's New York footprint.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-42-24-00009-P	..... exempt	Rider B - Outdoor Service Lighting and Rider C - Purchase of Renewable Energy from New Distributed Generators.	To establish provisions to ensure safe and reliable service for all customers.
PSC-42-24-00011-P	..... exempt	Major rate increase in annual gas deliver revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-43-24-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-24-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-24-00006-P	..... exempt	Environmental Disclosure Information.	To consider changes to the requirement that utilities provide environmental disclosure information via hard copy with the bill.
PSC-43-24-00007-P	..... exempt	Tariff filing to add an individually negotiated service classification.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-43-24-00008-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-43-24-00009-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-44-24-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-24-00005-P	..... exempt	Petition for rehearing.	To challenge reporting requirements and sale of environmental attributes for proposed renewable natural gas facilities.
PSC-44-24-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-24-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-24-00003-P	..... exempt	Recovery of certain expenses via a surcharge.	To determine if the costs related to the non-union management incentive compensation plan should be recovered in rates.
PSC-45-24-00004-P	..... exempt	To define "ICAP Market Peak Hour" as the peak hour of the New York Control Area during non-holiday weekdays in July or August.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-45-24-00005-P	..... exempt	Gas metering equipment.	To consider use of gas metering equipment and ensure that consumer bills will be based on accurate measurements of gas usage.
PSC-46-24-00022-P	..... exempt	BES programs.	To consider the outline of program goals and implementation strategies for the BES programs.
PSC-47-24-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-47-24-00007-P	..... exempt	The Clean Energy Standard's zero emission by 2024 target.	To establish definitions of key terms and an evaluation process for achieving the zero emissions by 2040 target.
<b>STATE, DEPARTMENT OF</b>			
DOS-43-24-00013-P	..... 10/23/25	Local government filing of local laws with the Department of State	To revise requirements and procedures related to local government filing of local laws with the Department of State
<b>STATE UNIVERSITY OF NEW YORK</b>			
SUN-47-24-00004-P	..... 11/20/25	Proposed amendments to the traffic and parking regulations at State University of New York at Canton.	Amend existing regulations to update traffic and parking regulations.
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-17-24-00002-EP	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2024 through March 31, 2024
TAF-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.
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
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.
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.
TDA-44-24-00001-EP	..... 10/30/25	See attached Addendum #1	See attached Addendum #2
TDA-45-24-00002-P	..... 11/06/25	Good cause adjournment of fair hearings concerning the Supplemental Nutrition Assistance Program (SNAP)	See attached Addendum
TDA-45-24-00006-P	..... 11/06/25	See Addendum #1	See Addendum #2
<b>THRUWAY AUTHORITY, NEW YORK STATE</b>			
THR-42-24-00001-P	..... 10/16/25	Toll collection processes.	Provide patrons with a clear description of the tolling process and achieve compliance with the Toll By Mail Enhancement Act.
<b>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY</b>			
TBA-52-23-00001-P	..... exempt	A proposal to establish a new toll rate schedule for use of the central business district under the CBDTP operated by TBTA	A proposal to reduce traffic congestion in a manner that will generate revenue for future transportation improvements

**Action Pending Index**

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>WORKERS' COMPENSATION BOARD</b>			
WCB-46-24-00021-EP	..... 11/13/25	Physical/Occupational Therapy Assistants	To provide guidance about treatment by PT/OT assistants and implement amendment to section 13-b of the Workers' Compensation Law

# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### REPLACE/REHABILITATE STONE EXTERIOR Clinton Correctional Facility Dannemora, Clinton County

Sealed bids for Project No. M3182-C, comprising of a contract for Construction Work, Replace Roof & Rehabilitate Stone Exterior, Chapel, Building 13, Clinton Correctional Facility, Route 374 Cook Street (Clinton 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, December 4, 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 \$189,800 for C).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$7,000,000 and \$8,000,000 for C.

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.

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

The substantial completion date for this project is 906 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 12:30 p.m. on November 21, 2024, at Clinton Correctional Facility, Route 374 Cook Street, Dannemora, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Jake Walsdorf (409-771-3212) 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 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

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

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

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

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

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

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

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

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

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

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

## PUBLIC NOTICE

Oneida-Herkimer Solid Waste Management Authority  
Request For Proposals (RFP)  
Purchase and/or Marketing of Processed  
Paper Recyclables  
for Oneida-Herkimer Solid Waste  
Management Authority

Pursuant to New York State General Municipal Law, Section 120-w, the Oneida-Herkimer Solid Waste Authority hereby gives notice of the following:

The Oneida-Herkimer Solid Waste Authority desires to procure an agreement for 5 years beginning January 1, 2025 for the purchase and/or marketing of paper recyclables processed at the Oneida-Herkimer Recycling Center, Utica, NY. Responses to the RFP must be received by 1:00 P.M. on December 2, 2024.

In order to promote its established Affirmative Action Plan, the Authority invites proposals from minority and women's business enterprises (M/WBE). Firms that are not M/WBE's responding to this RFP are strongly encouraged to consider partnering or creating other similar joint venture arrangements with certified M/WBE's. The directory of New York State Certified M/WBE's can be viewed at <https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>. This Affirmative Action Policy regarding sealed bids and contracts applies to all persons without regard to race, color, creed, national origin, age, sex, or handicap. All qualified bidders will be afforded equal opportunities without discrimination.

*Copies of the RFP may be obtained at:* [www.ohswa.org](http://www.ohswa.org) or through Emily M. Albright, Director of Recycling, Oneida-Herkimer Solid Waste Authority, 1600 Genesee St., Utica, NY 13502, (315) 733-1224, e-mail: [emilya@ohswa.org](mailto:emilya@ohswa.org)

## PUBLIC NOTICE

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

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

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

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

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

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

Beneficiary Name	Beneficiary City
Adelman, Jennifer L	LAKE WORTH
Adelman, Scott T	LAKE WORTH
Albert, Estate of Jacquelyn R	RONKONKOMA
Allen, Lindsey M	IRVING
Anne Palladino, Estate Of	Holtsville
Anthony Peter Ievoli Jr, Estate of	PORT ST LUCIE
Atkinson, Fredericka	MIDDLETOWN
Badalamenti, Antionette	OVID
Badalamenti, Bernadette	OVID
Balkum, Estate of Clemintine	ROCHESTER
Beeson, Estate of Florence M	LYNCHBURG
Berger, Estate of Antoinette	OCALA
Bernice T Lebek, Estate of	WESTON
BERTINI, CAROLINE	CLEARWATER
Blanchard, Susan	ONEONTA
Blau III, Thomas	CARY
Bonn, Kristen	WEBSTER
Bopp, Estate of Paul F	LEVITTOWN
Bowker, Paricia R	WALTON
Brazil, Estate of Beverly H	MISSION VIEJO
Brenner, Estate of Karen P	BRADFORD
Brisson, Estate of Patrica	WATERFORD
Brown, Anthony	MARION
Brown, Gerald S	ONTARIO



Brown,Isaiah ALBANY  
Buanno,Joseph FORT JOHNSON  
Buck,Richard C RANDOLPH  
Burke,Estate of Dorothy M SYRACUSE  
Burststein,Samuel A GREENWICH  
Burston,Alicia M PATCHOGUE  
Button Jr,David L PLYMOUTH  
Button,Travis S SHERBURNE  
Caiola,Frank NORWALK  
Capozzi,Estate of Norma WILLIAMSPORT  
Carlos DeMarco,Estate of VALHALLA  
Carmella Parise,Estate of Chapel Hill  
Carolyn Boler,Estate of MT PLEASANT  
Carpenter,Kevin W MOUNT LAUREL  
Cerny,Christopher J MASSAPEQUA  
Cerny,Robin L FOREST HILLS  
Certa,Estate of Marie FRANKFORT  
Chiumento,John BOYNTON BEACH  
Cichy,Jonathan AMSTERDAM  
Clark,Sarah L DEL RIO  
Coffey,Carolyn N EVERGREEN  
Coffey,James G MEDFORD  
Coffey,Mark A ALISO VIEJO  
Coleman,Estate of Eunice SAINT LOUIS  
Coleman,Estate of Paul R CLAY  
Colwell,Kevin LEVITTOWN  
Colwell,Michael NORTH BABYLON  
Cooke,Vernon NEDROW  
Cooper,Debra G HEMPSTEAD  
Cornell,Marshall James HOOSICK FALLS  
Craner,Amy SYRACUSE  
Craner,Erin SYRACUSE  
Craner,Gary LIVERPOOL  
Darden,Estate of Merrill B KINSTON  
Debra Hillyard,Estate Of BUFFALO  
Dilldine,James Michael CHANDLER  
Dolce,Estate of Angeline L AKRON  
Dolliver,Mary Whitaker SPOKANE  
Dominic Crupi Sr.,Estate Of WEST SAND LAKE  
Dorman,Estate of Earl D BROCKPORT  
Dorothy Wilson,Estate of BROWNVILLE  
Durham,Pauline PLATTSBURGH  
Edwards,Cynthia R BRONX  
Ellis,Estate of Lloyd W BRADENTON  
Eltman,Thomas J PORT ST LUCIE  
ESKINS,DARRIN LANCASTER  
Evelyn F Bahr,Estate of INVERNESS  
Everett,Christine RIDGEFIELD  
Feeney,Aaron M. ELIZABETHTOWN  
Feheley,Christine ARLINGTON  
Figel,Estate of Diane L WESTERLO  
Findlay,Estate of Daniel A QUEENS VLG  
Flynn,Robert HURLEY  
Frank Hernandez Jr,Estate of HAUPPAUGE  
Freer,Estate of Elizabeth C LAKE CHARLES  
Gibbs, Virginia J SHELTER IS  
Gill,Arthur Thomas BINGHAMTON  
Goodermote,Kenneth L AVERILL PARK  
Goss,Christopher L BALDWINVILLE  
Goss,James A FAIRPORT  
Guadalupe,Estate of Maria C ROCHESTER  
HAHN,ROBERT E EPHRATA  
Hall,Estate of William A NEW BERN  
Hapeman,Bryan W WRITSVLLE BCH  
Harris,Derek WASHINGTON  
Harris,Don ELMIRA  
Harris,Marc NEWBURGH  
Haynes,Heather CLAY  
Haynes,Stanley R SHERBURNE  
Hidecker,Pamela J KAMIAH  
Hintz,Gail WOODLAND HLS  
Hopping,Judith ROANOKE  
Horman,Robert Louis MECHANICSBURG  
Horne,Joseph C SPANAWAY  
Houston,Deborah D GREENWOOD  
Howland,Estate of Richard SEBASTIAN  
Hoyt,Trista Jo BUFFALO  
Hughes,Thomas Scott AKRON  
HURLBUT,GARY HOLIDAY  
Hyland,Michael R OAKFIELD  
Ives,Estate of Frances H MILFORD  
Jackson,Cafaan NEW ROCHELLE  
Joanne Wysocki,Estate Of Bethpage  
Josephine McCall,Estate of Cortland  
Joyner,Patricia POUGHKEEPSIE  
JR.,STANLEY MIGA NEW HARTFORD  
Judith Masino,Estate Of STUART  
Jutzin,Carl RUSH  
Karn,Estate of Clifford C CUBA  
Katz,Leon A BRONX  
Kennedy,Robert G SAN DIEGO  
Ketterson,Estate of Edwin K POESTENKILL  
Kilmer Jr,George F PAWLEYS ISL  
Kohlbacher,David A LAKEWOOD  
Kohlbacher,Mark R JAMESTOWN  
Konsek,Michele N TONAWANDA  
Kudner,Monty A EDMONDS  
Kunert,Stephanie J DEPEW  
Laurent,Rhonda L LAKE LUZERNE  
Lebek,Carl A LITTLE RIVER  
Leigh,Estate of C Eugene ALBION  
Lenigan,Mariana MECHANICSBURG  
Lorenzo,Estate of Peter BOONTON  
Ludwig,Joseph J HOLBROOK  
Ludwig,Robert T BETHPAGE  
Ludwig,Teresa MASSAPEQUA  
Lupia,Estate of Madeline SYRACUSE  
Lydenburgh,William C ANCHORAGE  
MACLEOD,SEAN GLENDALE  
Margaret Lagattuta,Estate Of Farmingdale  
Marilyn T Dunn,Estate of Brooklyn  
MARILYN WELSH,ESTATE OF PATTERSONVILLE  
Marshall Lewis Thorne,Estate of OTEGO  
Maurer,Carl R GLENDALE  
Michael J Palmiotto,Estate Of Rexford  
Mohan,Estate of Marianne MIAMI  
Mollie Halpern,Estate Of BAY SHORE  
Morris,Alison MASSAPEQUA PK

Morris,Brayden MASSAPEQUA PK  
 Morris,Landon MASSAPEQUA PK  
 Mozdziaik,Estate of Kathleen A PORT EWEN  
 Neilson,Estate of Ruth TINMOUTH  
 Nina R Barker,Estate of MARTIN  
 Nneka E Jackson,Estate of MEBANE  
 Northrup Jr,James H EDGEWATER  
 O'Connell,Beth Anne GALT  
 O'Connell,Daniel P PLATTSBURGH  
 O'Connell,Erin M PLATTSBURGH  
 O'Connell,James P FREMONT  
 O'Connell,Kerin M PLATTSBURGH  
 O'Connell,Mary Anne PLATTSBURGH  
 O'Donnell,Estate of Elizabeth C WHITE PLAINS  
 Paolini,Estate of Harriet BLASDELL  
 Partridge Jr,Darryl J PAINTED POST  
 Partridge,Michael A CORNING  
 Patricia A Jean,Estate of TULLY  
 Payne,Daneen R HARRISON  
 Payne,Paul D MOUNT VERNON  
 Pella,Diane M EPPING  
 Perky,Joel P S GLENS FALLS  
 Perky,Scott S SHOREHAM  
 PERSICO,MICHAEL J COEYMANS  
 Perugini Jr, Frank J TANNERSVILLE  
 Perugini Sr, Frank J SELDEN  
 Perugini,Michael A LINDENHURST  
 Perugini,Robert A TOMBALL  
 Petrie,Estate of Lina Dorothy Newfield  
 Phillips,Todd N TONAWANDA  
 Phyllis Jantzi,Estate Of GLENFIELD  
 Putrello,Estate of Pasquale UTICA  
 Reed,Estate of Agnes M CAYUTA  
 Reese III,Benny BUFFALO  
 RIFENBURY,ELIZABETH M NEWARK VALLEY  
 Rosa Braziel,Estate Of Bronx  
 Rose M Pepper,Estate of OSWEGO  
 Rosenblum,Daniel Jay BLOOMINGBURG  
 Roth,Estate of Marilyn ASHVILLE  
 Ruta,Alice MASSAPEQUA  
 Samuel Vullo,Estate of BUFFALO  
 Santana,Jessica M SMETHPORT  
 Scarborough,Ryan ALBANY  
 Schmidt,Carol BUFFALO  
 Schreier,Justin G DUNKIRK  
 Schruise,Robert A CAZENOVIA  
 Schwanz,Daniel L HAMBURG  
 Segarra,Judith NEW YORK  
 Seyrek,Estate of Mari CARY  
 Shea,Katherine D BELMONT  
 Sheils,Estate of Eileen D PRT JEFFERSON  
 Shirley Danylyshyn,Estate of MENDON  
 Small,Lorraine A WOODBRIDGE  
 Smith,Jay L DAVIDSON  
 Sobczyk,David J BUFFALO  
 Spadaccini,Estate of James VERNON ROCKVL  
 Spencer,Estate of Helen BELLPORT  
 Spradley,Tony NEW HYDE PARK  
 Sprnker,Laron MARIETTA

Spruill,West NEW YORK  
 Streeter,Adam G QUEENSBURY  
 Streeter,Amy E ALBANY  
 Streeter,Geoffrey M SCHERTZ  
 Streeter,Roy Scott GLENS FALLS  
 Streeter,Stephen M LITTLE RIVER  
 Sullivan,Sandra A STILLWATER  
 Swetz,Estate of Thomas J POUGHQUAG  
 Tallman,Ronald J TROY  
 TATRO,KATIE N LOCKPORT  
 Theresa M Wagoner,Estate of BANDERA  
 Thomas,Jerome D New York  
 Thorne,Mary A ENDICOTT  
 Titus,Idris L SCOTTSVILLE  
 Torres,Marilyn SEBRING  
 Tracy,Estate of Joan A GLENS FALLS  
 Vandyke,Justin MIDDLETOWN  
 Vandyke,Lauren MIDDLETOWN  
 Velit,Angelica Otoy MILTON  
 Vespe,Estate of William HIGHLAND  
 Viavattene,John R ROCHESTER  
 Walker,Carolyn A VICTOR  
 Walker,Deborah S NEW YORK  
 Waters,Mark SCHENECTADY  
 Weibert,Lynn ISLIP  
 Weidemann,Eric Bruce PHOENIX  
 West,Estate of Otto E ONEIDA  
 White,Elizabeth A Lamay AUSTIN  
 White,Estate of David P HAINES CITY  
 William F Heim,Estate of MONTCLAIR  
 William Woldan,Estate of Mount Vernon  
 Williams,Estate of Elizabeth Aiken  
 Williams,Nikisha YONKERS  
 Williams,Valerie BRONX  
 Wojdylo,Diane VENICE  
 Wordie,Edward LOS ANGELES  
 Wrenn,Estate of Joyce M ALBANY  
 Wright,Gloria J CHICAGO  
 Wrobel,Philomena VERO BEACH  
 Zekus,Annmarie CASTLETON  
 Zekus,Steven S HAMPTON

## PUBLIC NOTICE

Department of State  
 F-2024-0659

Date of Issuance – November 20, 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-2024-0659, the applicant, David Parker, is proposing to demolish an existing boathouse and crib docks; install new sheet pile seawall on the outer edge of the existing concrete seawalls; install new docks totaling 1,366sqft and a new 34'-2" x 41'-1 3/4" boathouse with 2 slips; renovate the existing 2-story structure above the OHW line; and dredge 390CY of silt and stone from a 4,767sqft area with the material to be removed and disposed of at an upland site. This project is located at 17787 and 17791 Reed Point Road, Town of Clayton, Jefferson County, St. Lawrence River.

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

<https://dos.ny.gov/system/files/documents/2024/11/f-2024-0659.pdf> or at <https://dos.ny.gov/public-notices>

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

- Town and Village of Clayton Local Waterfront Revitalization Program:

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

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

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

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

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

## PUBLIC NOTICE

Department of State  
F-2024-0693

Date of Issuance – November 20, 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-2024-0693, Tilcon Connecticut, Inc., 190 Totoket Road, Branford, Connecticut, has applied to the U.S. Army Corps of Engineers, New England District, for a permit to perform maintenance dredging of the existing barge basin and access channel at their Pine Orchard Facility within Branford Harbor, CT. Tilcon has proposed un-confined open-water disposal of up to 107,300 cubic yards (cy) of resultant dredged material at the Central Long Island Sound Disposal Site (CLDS), located in Long Island Sound.

The CLDS is located within Long Island Sound, south of South End Point, East Haven, Connecticut and north of the Village of Shoreham, Town of Brookhaven, Suffolk County. The site boundary is a 2.4 square nautical mile rectangle centered at 41° 08.95' N and 72° 52.95' W (NAD 83).

The stated purpose of the proposed action is "To maintain safe operating depths for vessels within the dredge footprint."

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

<https://dos.ny.gov/system/files/documents/2024/11/f-2024-0693.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 December 19, 2024.

*Comments should be addressed to:* Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave.,

Albany, NY 12231, (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov)

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

## PUBLIC NOTICE

Department of State  
F-2024-0702

Date of Issuance – November 20, 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-2024-0702, the applicant, Oscar Valencia, is proposing to maintain an existing 6' x 5' platform leading to a 3' x 12' ramp and two 6' x 20' floats on two float anchor piles, all along bulkhead and install a new 4' x 30' floating dock on four float anchors, two mooring piles, and a 14' x 14' four pile boat lift. This project is located at 10 Riverdale Avenue, Town of Oyster Bay, Nassau County, Carmans River.

The stated purpose of the proposed activity is to "Provide a safe private mooring."

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

<https://dos.ny.gov/system/files/documents/2024/11/f-2024-0702.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 December 20, 2024.

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

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

## PUBLIC NOTICE

Department of State  
F-2024-0708

Date of Issuance – November 20, 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-2024-0708, the applicant, Jeffrey Kent, is proposing to construct a 4' x 38' fixed catwalk and a 3' x 14' ramp leading to a 6' x 20' floating dock supported by (3) 8" piles; cut down non-functional bulkhead on the north and northwest side to 12" below MHW; reinforce existing rock revetment with 50cy of 25-50lb fill stone and capped with 300cy of clean upland-sources sand and planted; and remove 28' of existing bulkhead (elevation 5' above MLW) and 28' of existing low bulkhead (elevation 3' above MLW) and replace in-place with 40' of bulkhead at elevation 6.5' above MLW. Southernmost 16' of low bulkhead will be removed and not replaced. This project is located at 352 Dune Road, Village of Westhampton Beach, Suffolk County, Moriches Bay.

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

<https://dos.ny.gov/system/files/documents/2024/11/f-2024-0708.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):

- Moriches Bay Significant Coastal Fish and Wildlife Habitat:

[https://dos.ny.gov/system/files/documents/2020/03/moriches\\_bay.pdf](https://dos.ny.gov/system/files/documents/2020/03/moriches_bay.pdf)

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

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

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

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

## PUBLIC NOTICE

Department of State

Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205.5, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2024-0492 In the Matter of Carmel Construction, property located at 22 Old Lyme Road, Scarsdale, NY 10583, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Westchester, State of New York.

2024-0324 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance for code issues concerning allowable maximum water flow rate (gpf.) of a plumbing fixture (water closet) for the alteration of Rochester Psychiatric Center located at 1111 Elmwood Avenue, Rochester, NY 14620 County of Monroe, State of New York.

2024-0491 In the Matter of Yilmaz Fikret, property located at 1 Sutton Lane, Port Jefferson Station, NY 11776, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0517 In the Matter of Barbara Kontos, property located at 154 Woodlands Avenue, White Plains, NY 10607, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Westchester, State of New York.

2024-0502 In the Matter of Manuel Tocachi, property located at 635 Bourdois Avenue, Bellport, NY 11713, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0500 In the Matter of Joshua Ryan, property located at 48 Sunset Drive, Centereach, NY 11720, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0529 In the Matter of Anthony Wiley, property located at 2 Peter Court, Manorville, NY 11949, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0541 In the Matter of Manikkam Suthanthiran, property located at 6 Uxbridge Road, Scarsdale, NY 10583, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Westchester, State of New York.

2024-0534 In the Matter of Theodore Stillwell, property located at 2619 Connecticut Avenue, Medford, NY 11763, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0538 In the Matter of Josh Pratt, property located at 86 Willow Avenue, Larchmont, NY 10538, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Westchester, 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.

2024-0557 In the Matter of Yeung Home and Property, L.L.C., Peter Yeung, 139 Keith Drive, Poughkeepsie, NY 12603, for a variance concerning safety requirements, including bathroom ceiling height. Involved is a one family dwelling located at 135 Violet Avenue, City of Poughkeepsie, County of Dutchess, State of New York.

