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**NEW YORK STATE**

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# **REGISTER**

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

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

- the 60-day period expires on February 16, 2025
- the 45-day period expires on February 1, 2025
- the 30-day period expires on January 17, 2025

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

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

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

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# RULE MAKING ACTIVITIES

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

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

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## Department of Agriculture and Markets

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

#### Petroleum Products

**I.D. No.** AAM-51-24-00002-P

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

**Proposed Action:** This is a consensus rule making to amend sections 224.1, 224.3, 224.5 and 224.9; repeal sections 224.10 and 224.11; and renumber sections 224.12 to 224.17 to 224.10 to 224.15 of Title 1 NYCRR.

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

**Subject:** Petroleum Products.

**Purpose:** To remove obsolete standards, and incorporate by reference the most recent versions of the CFR, ASTM and API standards.

**Text of proposed rule:** 1 NYCRR Section 224.1(a) is amended to read as follows:

(a) ASTM means the American Society for Testing and Material Standards, [2018] 2024 edition, published by such organization. [A copy of ASTM is available at 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959.] Copies of all provisions of ASTM referred to in this Part *are available in print* [maintained in a file] at the Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, and at the Department of State, 99 Washington Avenue, Suite 650, Albany NY 12231, [and are] available for public inspection during regular business hours.

1 NYCRR Section 224.1(i) is amended to read as follows:

(i) Title 16 of the Code of Federal Regulations (“16 CFR”) means the edition thereof revised as of [April 1, 2016] *January 1, 2024* published by the U.S. Government Printing Office, Washington, D.C. A copy of 16 CFR is available electronically at the following link: <https://www.govinfo.gov/app/collection/cfr/2024/title16/>, and available in print [maintained in a file] at the Department of Agriculture and Markets, 10B Airline Drive, Albany NY 12235, and at the Department of State, 99 Washington Avenue, Suite 650, Albany NY 12231, [and is] available for public inspection and copying during normal business hours.

1 NYCRR Section 224.1(j) is amended to read as follows:

(j) Title 40 of the Code of Federal Regulations (“40 CFR”) means the edition thereof revised as of [July 1, 2018] *July 1, 2023* published by the U.S. Government Printing Office, Washington, D.C. A copy of 40 CFR is available electronically at the following link: <https://www.govinfo.gov/app/collection/cfr/2023/title40/>, and available in print [maintained in a file] at the Department of Agriculture and Markets, 10B Airline Drive, Albany NY 12235, and at the Department of State, 99 Washington Avenue, Suite 650, Albany NY 12231, [and is] available for public inspection and copying during normal business hours.

1 NYCRR Section 224.3(a) is amended to read as follows:

(a) Automotive gasoline. All automotive gasoline shall meet the requirements in ASTM D[ ]4814-[18]24a, except as noted below.

1 NYCRR Section 224.3(a)(4) is amended to read as follows:

(4) Testing for octane rating. To determine the automotive fuel rating (octane rating) for gasoline in this Part, add the research octane number from test method ASTM D[ ]2699- [15]24a and the motor octane number from test method ASTM D[ ]2700-[14]24b and divide by two as explained in ASTM D[ ]4814-[18]24a.

1 NYCRR Section 224.3(b) is amended to read as follows:

(b) Diesel fuel. All diesel fuel shall meet the requirements in ASTM D[ ]975-[18]24a.

1 NYCRR Section 224.3(c) is amended to read as follows:

(c) Kerosene. All kerosene shall meet the requirements in ASTM D[ ]3699-1[3]9.

1 NYCRR Section 224.3(d) is amended to read as follows:

(d) Denatured fuel ethanol intended for blending with gasoline shall meet the requirements in ASTM D[ ]4806-[19]21a.

1 NYCRR Section 224.3(e) is amended to read as follows:

(e) Ethanol flex fuels. All blends of ethanol flex fuel shall meet the following requirements:

(1) Ethanol flex fuels containing 51 to 83 percent ethanol by volume shall meet the requirements in ASTM D[ ]5798-[19b]21.

(2) Ethanol flex fuels containing more than 10 percent but not greater than 15 percent ethanol by volume shall meet the requirements in ASTM D[ ]4814-[18]24a.

1 NYCRR Section 224.3(f) is amended to read as follows:

(f) Butanol. All butanol intended for blending with gasoline shall meet the requirements in ASTM D7862-[17]21.

1 NYCRR Section 224.3(g) is amended to read as follows:

(g) Butanol blends. Blends of butanol and gasoline that contain less than or equal to 16 percent butanol by volume, shall meet the requirements in ASTM D[ ]4814-[18]24a.

1 NYCRR Section 224.3(h) is amended to read as follows:

(h) Biodiesel. All biodiesel intended for blending with diesel fuel shall meet the requirements in ASTM D[ ]6751-[15c]24.

1 NYCRR Section 224.3(i) is amended to read as follows:

(i) Biodiesel blends. All blends of biodiesel and diesel fuel shall meet the following requirements:

(1) Blends that contain 5 percent or less biodiesel by volume shall meet the requirements in ASTM D975-[18]24a.

(2) Blends that contain more than 5 percent biodiesel by volume but 20 percent or less biodiesel by volume shall meet the requirements in ASTM D[ ]7467-[18]23.

(3) When blends that contain more than 20 percent biodiesel are offered for sale, the diesel fuel used in the blend shall meet ASTM D975-[18]24a and the biodiesel blend stock shall meet ASTM D[ ]6751-[15c]24.

1 NYCRR Section 224.5(b)(2) is amended to read as follows:

(2) Identify diesel fuel as grade 1-D or 2-D; such grade designation shall be an acceptable substitute for a minimum cetane rating of 40].

1 NYCRR Section 224.9(c)(2) is amended to read as follows:

(2) United States Environmental Protection Agency (EPA) labeling requirements. Retailers and wholesale purchaser consumers of gasoline shall comply with the EPA pump labeling requirements for gasoline containing ethanol in an amount greater than 10 percent by volume up to 15 percent by volume (E15) as set forth in 40 CFR section [80.1501] 1090.1510.

1 NYCRR sections 224.10 and 224.11 are repealed, and sections 224.12 – 224.17 are renumbered to 224.10 – 224.15.

The newly renumbered section 224.12(a) is amended to read as follows:

[(a)] The owner or operator of a retail establishment selling petroleum products from underground storage tanks (USTs) shall permanently mark all fill ports to identify the products inside. These markings shall be in accordance with the color code set forth in *American Petroleum Industries (API) Recommended Practice (RP)* [API RP] 1637, [3rd edition, July 2006] 4th edition, April 2020, published by the API [American Petroleum Institute], 1220 L Street, Washington DC 20005-4070.[:] *The Department of Environmental Conservation (DEC) previously incorporated by reference API RP 1637 in its regulations regulating petroleum bulk storage (6 NYCRR 613-1.10). API RS 1637 was filed with the Department of State on DATE, file number M-20-15. Copies are available for inspection during regular business hours at the office of the DEC Division of Environmental Remediation, located at 625 Broadway, Albany, NY 12233, [copy of this document is maintained in a file] at the Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235, and at the Department of State, 99 Washington Avenue, Suite 650, Albany, New York 12231 [and is available for public inspection during regular business hours]. If a UST system contains petroleum that does not have a corresponding API color code, the owner or operator of the retail establishment must clearly and conspicuously mark the fill port to identify the petroleum that is in the UST system. For any fill port connected to multiple UST systems storing different types of petroleum, the owner or operator of the retail establishment may place the marking referred to herein near the fill port to identify the petroleum in the UST systems.*

The newly renumbered 1 NYCRR section 224.12(b) is repealed.

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

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

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

#### Consensus Rule Making Determination

The Department has considered this proposed rulemaking and has determined that this rule is a consensus rule within the meaning of State Administrative Procedure Act section 102(11), in that it repeals regulatory provisions that are no longer applicable to any person due to statutory amendments and is otherwise non-controversial as no person is likely to object to the rule. The proposed amendments repeal obsolete regulatory provisions concerning cetane ratings, which were legislatively repealed in 2019. The proposed rule will also amend Part 224 to incorporate the most recent national standards published by the American Society for Testing and Materials (ASTM) and American Petroleum Institute (API), and the most recent version of the Code of Federal Regulations (CFR). The New York State Department of Environmental Conservation has already adopted the updated API standards as part of its regulations.

The proposed amendments will not impose any additional regulatory requirements, as they repeal obsolete regulatory provisions and benefit regulated entities by updating regulations to current national and other state standards. All the proposed updated standards are already in existence as part of federal and other State requirements, and, therefore, are not anticipated to have any significant impact on regulated parties. The Department has also conducted outreach on the proposed amendments and has received support from regulated parties concerning this proposed rulemaking. Based on the foregoing reasons, the proposed rule is a consensus rule within the meaning of State Administrative Procedure Act section 102(11).

#### Job Impact Statement

The proposed amendments repeal obsolete regulatory provisions concerning cetane ratings, which were legislatively repealed in 2019. The proposed rule will also amend Part 224 to incorporate the most recent national standards published by the American Society for Testing and Materials (ASTM) and American Petroleum Institute (API), and the most recent version of the Code of Federal Regulations (CFR). The New York State Department of Environmental Conservation has already adopted the updated API standards as part of its regulations.

The proposed amendments will not impose any additional regulatory requirements, as they repeal obsolete regulatory provisions and benefit regulated entities by updating regulations to current national and other state standards. All the proposed updated standards are already in existence as part of federal and other State requirements, and, therefore, are not anticipated to have any significant impact on regulated parties. The Department has also conducted outreach on the proposed amendments and has received support from regulated parties concerning this proposed rulemaking. Based on the foregoing, the Department has determined that the proposed rule will have no substantial adverse impact upon jobs and employment opportunities. In New York State.

## Department of Financial Services

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

#### Unfair Claims Settlement Practices and Claim Cost Control Measures

I.D. No. DFS-51-24-00003-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 216 (Regulation 64) of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 201, 301, 2601, 2618 and 3412

**Subject:** Unfair Claims Settlement Practices and Claim Cost Control Measures.

**Purpose:** To clarify or amend provisions regarding right-of-recourse, total loss efficacy review, and valuation manual titles.

**Text of proposed rule:** A new section 216.2(f) is added as follows:

(f) *During the circumstance described in Insurance Law section 2618(a)(2), the requirements set forth in this Part shall not apply to the extent that they conflict with the requirements set forth in Insurance Law section 2618.*

Section 216.7(c)(1)(i) is amended as follows:

(i) The average of the retail values for a substantially similar vehicle as listed in two valuation manuals current at the date of loss and approved by this department. [Manuals approved for use are--The Redbook, published by National Market Reports Inc., and The N.A.D.A. Official Used Car Guide, published by the National Automobile Dealers Used Car Guide Company. The use of other manuals] *Manuals* may be approved by this department upon demonstration of need and suitability. If it is evident that an option has not been considered in [either or both] *any* of the [above] *approved* valuation manuals, the insurer shall consider the value, if any, of such option in arriving at the vehicle's value and shall [utilize] *use* the best available method to value such option. The insurer may deduct documented, reasonable dealer preparation charges, up to \$100, from the average of the retail values. The insurer shall provide to the insured, no later than the date of payment of the claim, a detailed copy of its calculation of the insured vehicle's total loss value, including the valuation of options [which] *that* are not considered in the base price of the vehicle.

Section 216.7(c)(4) is amended as follows:

(4) Right of recourse. [If, within] *The insurer shall include in its settlement offer to the insured a written notice of the insured's right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment[.]. The notice shall also outline the right of recourse process as set forth in this section. If the insured notifies the insurer in writing within the requisite recourse period that the insured [notifies the insurer in writing that the insured] cannot purchase a comparable vehicle for the market value, as determined under the provisions of subparagraph (1)(i), (ii), (iii) or (v) or paragraph (3) of this subdivision, the insurer shall reopen its claim file and shall offer, in its discretion and subject to applicable deductions, one of the following options to the insured:*

(i) the insurer shall identify and offer for settlement an amount sufficient to purchase a substantially similar vehicle, as provided in subparagraph (1)(ii) of this subdivision; or

(ii) the insurer shall pay the insured the difference between the amount of its claim payment and the cost of a substantially similar vehicle, as provided in subparagraph (1)(ii) of this subdivision, located by the insured, or the insurer, upon consent of the insured, may purchase that vehicle for the insured.



Section 216.7(c)(9) is hereby repealed.

**Text of proposed rule and any required statements and analyses may be obtained from:** Hoda Nairooz, Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5595, email: DFS.Property-Casualty.Letters@dfs.ny.gov

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

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

#### **Regulatory Impact Statement**

1. Statutory authority: Financial Services Law sections 202 and 302 and Insurance Law sections 301, 2601, 2618, and 3412.

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

Financial Services Law section 302 and Insurance Law section 301, in material part, authorize the Superintendent to effectuate any power accorded to the Superintendent by the Financial Services Law, Insurance Law, or any other law, and to prescribe regulations interpreting the Insurance Law.

Insurance Law section 2601 prohibits insurers from engaging in unfair claim settlement practices and requires insurers to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies.

Insurance Law section 2618 sets forth standards for the prompt investigation and settlement of claims during natural disasters and authorizes the Superintendent to promulgate regulations to implement this section.

Insurance Law section 3412 sets forth requirements for physical damage insurance covering private passenger automobiles, including requirements regarding salvage and total losses.

2. Legislative objectives: To establish standards insurers must observe to settle claims promptly and fairly and to authorize the Superintendent to promulgate regulations implementing these standards.

3. Needs and benefits: The amendment deletes references to the titles of valuation manuals that the Department of Financial Services (“Department”) has approved consistent with amendments to other regulations in which references to the names of specific entities have been replaced with generic references, such as to a designated organization. This amendment eliminates the need to amend the regulation whenever an approved manual has undergone a change in name, edition, or publisher.

The amendment also eliminates the requirement that the Department review the efficacy of the total loss provisions at least every five years as an unnecessary requirement. The requirement is unnecessary because the total loss provisions have been in effect for 25 years and have worked well for consumers and insurers alike, and repealing this requirement does not eliminate the Department’s authority to review the efficacy of these provisions when the need arises.

Regarding the right of recourse, an insured has 35 days from the date of the insurer’s claim payment within which to invoke such right, which is a remedy for when an insurer’s total loss settlement is insufficient to allow an insured to purchase a comparable vehicle. The amendment clarifies that the 35-day period for an insured to invoke the right of recourse is to be viewed as an outside limit and that receipt of the claim payment is not a precondition for the insured to attempt to locate a substantially similar vehicle before invoking the right of recourse. This amendment clarifies that those insureds who conduct a diligent search immediately after receiving the insurer’s offer will be able to exercise their right of recourse. The amendment also mandates that an insurer communicate the right of recourse to the insured when a settlement offer is made.

Finally, to avoid any potential confusion, the amendment clarifies how the rule applies in conjunction with new Insurance Law section 2618.

4. Costs: This amendment may impose compliance costs on insurers subject to it because it requires an insurer to include in a settlement offer to an insured a written notice of the insured’s right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment. The notice also must outline the right of recourse process. However, any costs to an insurer should be minimal since the insurer will merely need to update the settlement offer document or package.

The amendment will not impose any costs on the Department.

5. Local government mandates: This amendment 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: This amendment may impose additional paperwork on insurers subject to it because it requires an insurer to include in a settlement offer to an insured a written notice of the insured’s right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment. The notice also must outline the right of recourse process. For insurers who are already providing notice of the right of recourse, the proposed regulation

would potentially require a minimal change to the language of the notice. Any insurer that is not currently providing notice of the right of recourse would need to prepare additional language and add it to the standard settlement offer or as a stand-alone document that accompanies the settlement offer. The approach each insurer takes to complying with this requirement would impact the amount of additional paperwork that the proposed amendment entails. Given that insurance companies operate in a highly regulated industry and are routinely required to make and update consumer disclosure documents, the Department assesses that the burden imposed by this requirement will be minimal. The Department further assesses any additional burden imposed by this requirement to be outweighed by the benefit to protecting insured’s right of recourse.

7. Duplication: This rule does not duplicate, overlap, or conflict with any existing state or federal rule.

8. Alternatives: The Department considered amending 11 NYCRR 216.7(b)(12) to codify the long-standing position of the Department that if an insurer takes a deduction for previous damage or prior condition of a motor vehicle in settling a claim, the deduction must take into account the age of the motor vehicle at the time of loss, with a maximum deduction calculated according to the model year of the motor vehicle. However, after receiving comments as part of the Department’s pre-proposed outreach, the Department decided not to amend Section 216.7(b)(12) because a total loss product that the Department approved and other technological advances in calculating appropriate deductions for previous damage and prior condition since the advent of the Department’s position already take into account the factors set forth in the proposed amendment in a way that is more objective. Therefore, the amendment is not necessary.

The Department also considered not amending the other provisions of 11 NYCRR 216 as set forth in the proposed rule. However, the Department decided it was prudent to eliminate specific names of valuation manuals in favor of generic references that can be specified on the Department’s website and ensure that an insured’s right of recourse is protected if the insured conducts a diligent search after receiving an insurer’s offer. The Department also felt it was necessary to clarify how the rule applies in conjunction with new Insurance Law section 2618 to avoid any confusion and to remove the unnecessary requirement that the Department review the efficacy of the total loss provisions at least every five years.

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

10. Compliance schedule: Insurers will need to comply with this amendment upon publication of the Notice of Adoption in the State Register.

#### **Regulatory Flexibility Analysis**

1. Effect of rule: State Administrative Procedure Act (“SAPA”) Section 102(8) defines a small business to mean “any business which is resident in this State, independently owned and operated, and employs one hundred or less individuals.” There may be insurers affected by the amendment that may be small businesses, but the Department of Financial Services (“Department”) does not know how many.

The amendment does not affect local governments because the rule does not apply to any local government.

2. Compliance requirements: This amendment requires an insurer to include in its settlement offer to an insured a written notice of the insured’s right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment. The notice also must outline the right of recourse process.

No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the amendment because the rule does not apply to any local government.

3. Professional services: An insurer that may be a small business should not need any professional services to comply with this amendment.

No local government will need professional services to comply with the amendment because the rule does not apply to any local government.

4. Compliance costs: This amendment may impose compliance costs on insurers that may be small businesses because this amendment requires an insurer to include in its settlement offer to the insured a written notice of the insured’s right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment. The notice also must outline the right of recourse process. However, any costs to an insurer that may be a small business should be minimal since the insurer will merely need to update the settlement offer document or package.

No local government will incur any costs to comply with the amendment because the rule does not apply to any local government.

5. Economic and technological feasibility: Insurers that may be small businesses should not incur any economic or technological impact as a result of the amendment.

The rule does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: The amendment uniformly affects all insurers that are subject to it, including any that are small businesses. The amendment should not have an adverse impact on any insurer that is a small business.

No local government should be adversely impacted by the amendment because the rule does not apply to any local government.

7. Small business and local government participation: The Department complied with SAPA section 202-b(6) by posting a draft of the amendment on the Department's website on July 8, 2024 for pre-proposed outreach and directly notifying trade organizations that represent insurers that may be small businesses. After receiving comments, the Department decided to remove the amendments to 11 NYCRR 216(b)(12) regarding deductions for previous damage and prior condition. Interested parties, including those parties that may be small businesses, also will have an opportunity to participate when the Department publishes the proposed amendment in the State Register and posts the proposed amendment on the Department's website.

#### Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Insurers affected by this amendment do business in every county in this State, including rural areas as defined in State Administrative Procedure Act Section 102(10). The Department of Financial Services ("Department") does not know the number of insurers located in rural areas.

2. Reporting, recordkeeping, and other compliance requirements; and professional services: This amendment imposes additional paperwork on insurers, including insurers located in rural areas, because it requires an insurer to include in its settlement offer to an insured a written notice of the insured's right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment. The notice also must outline the right of recourse process. Insurers, including insurers in rural areas, should not need to retain professional services to comply with this amendment.

3. Costs: This amendment may impose compliance costs on insurers, including insurers located in rural areas, because the amendment requires an insurer to include in its settlement offer to the insured a written notice of the insured's right of recourse, and that the insured may exercise this right at any time from the date of the notice up to 35 calendar days after the mailing of the claim payment. The notice also must outline the right of recourse process. However, any costs to an insurer should be minimal since the insurer will merely need to update the settlement offer document or package.

4. Minimizing adverse impact: This amendment uniformly affects insurers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department posted a draft of the amendment on its website on July 8, 2024 for pre-proposed outreach and directly notified interested parties, including trade associations that represent insurers located in rural areas. After receiving comments, the Department decided to remove the amendments to 11 NYCRR 216(b)(12) regarding deductions for previous damage and prior condition. Interested parties, including those parties located in rural areas, also will have an opportunity to participate when the Department publishes the proposed amendment in the State Register and posts the proposed amendment on the Department's website.

#### Job Impact Statement

This amendment should not have a substantial adverse impact on jobs or employment opportunities in New York State. The amendment only amends or deletes outdated provisions and clarifies how the rule applies in conjunction with new Insurance Law section 2618.

## New York State Gaming Commission

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

#### Mobile Sports Wagering Data Collection

I.D. No. SGC-51-24-00001-P

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

**Proposed Action:** Amendment of sections 5330.29 and 5330.37 of Title 9 NYCRR.

**Statutory authority:** Tax Law, sections 1601 and 1604; Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

**Subject:** Mobile sports wagering data collection.

**Purpose:** To facilitate data collection on demographics and usage across all mobile sports wagering platforms.

**Text of proposed rule:** § 5330.29. Gross gaming revenue reports and reconciliation; *responsible-gaming data*.

\* \* \*

(e) Calendar year recap.

(1) *By each platform provider.* Each platform provider shall submit a report to the commission on or before February 28th of each year[,] detailing for its platform, in the aggregate for the prior calendar year, on a form the commission prescribes, as required by Racing, Pari-Mutuel Wagering and Breeding Law section 1367(6)(a)[, detailing for its platform]:

[ (1) (i) the total amount of sports wagers received in currency and number of bets placed;

[ (2) (ii) the total amount of sports wagers won by authorized sports bettors in currency and number of bets;

[ (3) (iii) the total amount of gross gaming revenue won by skins associated with such platform provider;

[ (4) (iv) the total amount wagered on each sports governing body's events;

[ (5) (v) the number of accounts held by authorized sports bettors;

[ (6) (vi) average account balance;

[ (7) (vii) the total number of new accounts established in the previous year, as well as the total number of accounts permanently closed in the previous year; and

[ (8) (viii) the total number of voluntary self-exclusions in the previous year.

(2) *By each skin.* Each skin shall submit a report to the commission on or before February 28th of each year, on a form the commission prescribes, detailing for each mobile sports wagering account with such skin for the prior calendar year, identified by a unique anonymizing identifier but including zip code and the information set forth in section 5330.37(a)(6) and (7) of this Part:

(i) the total number of bets placed;

(ii) the total amount wagered;

(iii) the aggregate amount of money won or lost;

(iv) the duration of time spent on the platform;

(v) the number of times the account holder gained access to the platform's internet page dedicated to responsible play, as described in Racing, Pari-Mutuel Wagering and Breeding Law section 1367-a(4)(xiv);

(vi) the number of times the account holder reached the lifetime-deposit betting-pause threshold set forth in Racing, Pari-Mutuel Wagering and Breeding Law section 1367-a(4)(xiii) and, after receiving the required request for acknowledgment, the number of times the account holder:

(a) placed a wager within 24 hours of receiving the request for acknowledgment;

(b) elected to establish responsible gaming limits; or

(c) elected to close the account;

(vii) identification of the day of the week and hour of the day during which the greatest number of wagers were made; and

(viii) identification of the day of the week and hour of the day during which the greatest amount of money was wagered.

\* \* \*

§ 5330.37. Authorized sports bettor account requirements.

(a) Opening an account. Prior to an authorized sports bettor placing a sports wager, the following information, at a minimum, shall be provided by a potential authorized sports bettor and verified through the mobile sports wagering licensee's KYC identity-verification software or other remote multi-factor authentication, before status as an authorized sports bettor may be confirmed:

(1) full name;

(2) physical residential address, including zip code;

(3) date of birth;

(4) last four digits of Social Security number, unless such authorized sports bettor willingly provides all nine digits, the potential authorized sports bettor's driver license, or an equivalent identification number for a person who has no Social Security number, such as a passport or taxpayer identification number; and

(5) email address and telephone number;

(6) race and ethnicity, if voluntarily given; and

(7) gender, if voluntarily given.

**Text of proposed rule and any required statements and analyses may be obtained from:** Kristen M. Buckley, New York State Gaming Commission, 354 Broadway, P.O. Box 7500, Schenectady, New York 12301-7500, (518) 388-3332, email: gamingrules@gaming.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:** The New York State Gaming Commission (“Commission”) is authorized to promulgate this rule by Racing, Pari-Mutuel Wagering and Breeding Law (“Racing Law”) §§ 104(1), (19) and (24), 1367(4) and 1367-a(5)(a). Racing Law § 104(1) provides the Commission with general jurisdiction over all gaming activities within the State and over any person, corporation or association engaged in such activities. Racing Law Section 104(19) authorizes the Commission to promulgate any rules it deems necessary to carry out its responsibilities. Racing Law § 104(24) provides that the Commission shall have the authority and responsibility to regulate sports wagering in New York State. Racing Law § 1367 authorizes the Commission to regulate the conduct of sports wagering to the same extent that the Commission regulates other gaming. Racing Law § 1367-a(5)(a) authorizes the Commission to promulgate regulations concerning how mobile sports wagering operators allow for authorized bettors to sign up to create and fund accounts on their mobile sports wagering platforms.

2. **LEGISLATIVE OBJECTIVES:** To enable the Commission and the Office of Addiction Services and Supports (“OASAS”) to accurately report and analyze the social and health impact of mobile sports wagering in New York State.

3. **NEEDS AND BENEFITS:** Racing Law § 1367-a(6) requires the Commission, in conjunction with OASAS, to annually cause a report (the “Impact Report”) to be prepared and distributed to the Governor and the Legislature on the impact of mobile sports wagering on problem gamblers in New York, including, to the extent practicable, an analysis of demographics that are disproportionately impacted by problem gambling. The proposal would require uniform reporting of certain data by all mobile sports wagering operators to assist the Commission in providing useful information for the Impact Report.

The Commission had sought statistical and demographic information from licensed mobile sports wagering operators relating to voluntary self-exclusions, “cooling off” periods, responsible-gaming-related interactions with accountholders and other data points. Operator maintenance and reporting of such information to the Commission is not currently a regulatory requirement. Because there is no current regulation, provision of such information was voluntarily and the quality and uniformity of the data and information reported to the Commission varied. Several operators informed the Commission that much of the requested information was not available or was not being maintained by the operator.

Despite mobile sports wagering taking place on entirely digital platforms that collect user data, many mobile sports wagering operators do not track or maintain quantitative or qualitative information concerning who is participating in mobile sports wagering. The lack of current data prevents the Commission and OASAS from accurately measuring the impact of mobile sports wagering on gambling behavior of New Yorkers and prevents the appropriate focusing of public campaigns, outreach and education efforts to those at high risk for experiencing gambling harms.

Other amendments would codify the Commission’s recent updates to its voluntary self-exclusion program to capture additional data, including: name and any aliases, mailing address, phone number and email address, social security number (if provided voluntarily, but otherwise, the last four digits of the social security number are required) or equivalent government ID number, date of birth, gender, height, weight, hair and eye color, race or ethnicity (provided on a voluntary basis), selected self-exclusion duration (1, 3, 5 years or lifetime); and the type(s) of gaming most often played by the individual requesting exclusion.

4. **COSTS:**

a. Costs to regulated parties for the implementation and continuing compliance with the rule: Staff anticipates that the cost of compliance to regulated parties will be minimal.

b. Costs to the regulated agency, the State, and local governments for the implementation and continuation of the rule: There will be no additional cost to the regulated agency, the State, and the local governments for the implementation and continuation of the rule.

c. The information, including the source or sources of such information, and methodology upon which the cost analysis is based: The cost estimates are based on the Commission’s experience collecting and reviewing mobile sports wagering data.

5. **LOCAL GOVERNMENT MANDATES:** The proposed rulemaking does not impose any new programs, services, duties or responsibilities upon any country, city, town, village school district, fire district or other special district.

6. **PAPERWORK:** The rules are not expected to impose any undue paperwork or reporting requirements on the regulated entities.

7. **DUPLICATION:** There are no relevant State or Federal programs or regulations that duplicate, overlap or conflict with the proposed rulemaking.

8. **ALTERNATIVES:** The alternative of not proposing this rulemaking was considered and rejected. The Commission’s Division of Gaming attempted to obtain statistical and demographic data from mobile sports operators on a voluntary basis. Many mobile sports operators did not provide the requested data and informed the Commission that they do not collect or maintain such information. Requiring uniform reporting across all mobile sports wagering platforms would assist the Commission by providing the statistical and demographic data needed for the Impact Report. To require uniform reporting of additional statistical and demographic data across all mobile sports wagering platforms, staff identified regulations, included in this rulemaking, that require modification.

9. **FEDERAL STANDARDS:** The proposed rule does not exceed any minimum standards imposed by the federal government.

10. **COMPLIANCE SCHEDULE:** The Commission believes that affected parties will be able to achieve compliance with these rules upon adoption.

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

The proposed rulemaking will not have any adverse impact on small businesses, local governments, jobs or rural areas. The proposed rulemaking would create uniformity in mobile sports wagering data collection on demographics and usage across all mobile sports wagering platforms.

The proposed rulemaking does not impact local governments and will not have an adverse impact on small businesses. Mobile sports wagering licensees, from which data will be collected pursuant to this rule making, are large businesses.

The proposed rulemaking imposes no adverse impact on rural areas. The rule applies uniformly throughout the state.

The proposed rulemaking will have no adverse impact on job opportunities.

The proposed rulemaking will not adversely impact small businesses, local governments, jobs or rural areas. Accordingly, a full Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement are not required and have not been prepared.

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## Office of Mental Health

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### NOTICE OF ADOPTION

**Admission and Discharge Criteria for Psychiatric Inpatient Units of General Hospitals**

**I.D. No.** OMH-04-24-00006-A

**Filing No.** 1009

**Filing Date:** 2024-12-03

**Effective Date:** 2024-12-18

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

**Action taken:** Amendment of Part 580 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 7.07, 7.09, 29.15, 31.04 and 43.02; Social Services Law, sections 364 and 364-a

**Subject:** Admission and Discharge Criteria for Psychiatric Inpatient Units of General Hospitals.

**Purpose:** To standardize admissions and discharges.

**Substance of final rule:** Part 580

In addition to technical amendments updating this regulation consistent with Title 14 and eliminating outdated terminology, the Proposed Rule amends Part 580 as follows:

Part 580.1. Background and Intent. Provides that it is the intention of this Part to provide for a person-centered process and that compliance with this Part shall ensure that services are collaborative in nature.

Part 580.2. Legal Base. No substantive edits.

Part 580.3. Definitions. Includes removing outdated references to behavioral health organizations and defines Managed Care (MCO), removes definition for concurrent review and defines utilization review. Provides uniform definition of Collateral, Credentialed Alcoholism and Substance Abuse Counselor (CASAC), creates a new definition of Individual with Complex Needs and conforms such definition with other Parts of this title, Governing Body, Interventional Therapies, defines Intensive care management. Provides definitions for person-centered process, psy-

chiatric advance directive, PSYCKES, shared decision making and SHIN-NY.

Part 580.4. Certification. No substantive edits.

Part 580.5. Organization and administration. Clarifies that policies and procedures must conform with confidentiality. Clarifies policies ensuring patient rights. Clarifies education programming requirements for school age children.

Part 580.6. Program.

-Clarifies that services shall be provided through a person-centered process with shared decision making and should be informed by the understanding that implicit bias may affect the assessment, diagnosis, treatment and discharge planning of Black, Indigenous, People of Color and other marginalized individuals.

-When an individual is admitted clinical staff shall in accordance with HIPAA and Mental Hygiene Law 33.13: review documentation of assessments, treatment, and other services provided in referring outpatient, emergency, or program and prior presentations; attempt to obtain collateral information on all admitted individuals; review information in PSYCKES regarding prior psychiatric and medical history; review information in any other available information network databases as may be required, regarding admitted individuals; and check to see if the individual has a Psychiatric Advance Directive (PAD) or other wellness plan and preferred contacts in PSYCKES.

-The following screenings shall take place on admission and documented in the individual's chart: suicide risk using a validated instrument, violence risk screening and assessment and inquiries about access to firearms or other weapons, substance use screenings using a validated instrument and a determination shall be made as to whether an individual has complex needs.

-Discharge plans shall reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. For discharges of individuals with complex needs, the discharging unit shall provide a verbal clinical sign-out to the receiving outpatient treatment program and residential or other long-term care program on the day of discharge, or as soon as possible thereafter in accordance with section 33.13 of the Mental Hygiene Law. Prior to discharge, the hospital shall contact aftercare providers to schedule and confirm a follow up appointment to occur within seven calendar days following discharge. Where a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, after documenting diligent efforts, such appointment should be scheduled for as soon as possible. Individuals with complex needs enrolled in outpatient or residential care management, must coordinate discharge plan details and timing with care managers. For individuals in need of intensive care management, staff shall make a referral to an intensive care management provider. All individuals shall be screened for suicidality prior to their discharge. When determining whether an individual is ready for discharge and the most appropriate discharge setting, the whole clinical presentation and history, as well as the availability of existing services in the individual's community, shall be considered. Individuals who meet criteria for any substance use disorder shall be offered pharmacological interventions, if appropriate, and referred to a new or existing provider who can continue their treatment for their substance use disorder. Individuals who require treatment with an antipsychotic medication but have history of difficulty with consistently taking oral medications, shall be considered through shared decision making, for treatment with a long-acting injectable medication.

Part 580.7. Staffing. No substantive edits.

Part 580.8. Premises. Clarifies Electroconvulsive therapy (ECT) may not be used as an emergency procedure. Clarifies existing rule that no facility shall use restraint or seclusion without a written plan for the use of restraint or seclusion in accordance with section 526.4 of this Title. No facility shall use extraordinary risk procedures. Extraordinary risk procedures include, but are not limited to, experimental treatment modalities and aversive conditioning.

Part 580.9. Records and Statistics. Clarifies case records should include: a record of communication with family, outpatient providers, and other significant sources of collateral information; notes which relate to special circumstances and untoward incidents including but not limited to, the use of any seclusion or restraints; documentation of any referrals within the hospital or to another agency; and documentation of voluntary or involuntary status and other information as requested by the Office.

Part 580.10. Community Relations. No substantive edits.

Part 580.11 Managed Care Organizations. Conforming edits relating to outdated language.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 580.3(e).

**Revised rule making(s) were previously published in the State Register** on July 31, 2024.

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

### Revised Regulatory Impact Statement

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

Sections 7.09 and 31.04 of the Mental Hygiene Law grant the Commissioner of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction, and to set standards of quality and adequacy of facilities, equipment, personnel, services, records and programs for the rendition of services for adults diagnosed with mental illness or children diagnosed with emotional disturbance, pursuant to an operating certificate.

Section 43.02 of the Mental Hygiene Law gives the Commissioner the authority to request from operators of facilities licensed by the Office of Mental Health such financial, statistical and program information as the Commissioner may determine to be necessary.

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

Section 29.15 of the Mental Hygiene Law establishes requirements for the discharge or conditional release of patients from hospitals operated by the Office of Mental Health or from psychiatric inpatient services subject to licensure by this office.

2. Legislative objectives: Articles 7 and 31 of the Mental Hygiene Law reflect the Commissioner's authority to establish regulations regarding mental health programs. The proposed rule furthers the legislative policy of providing high quality inpatient mental health services to individuals with mental illness and to require evidence based screenings to take place on admission and to require comprehensive discharge plans. Part 580 of Title 14 NYCRR sets forth standards for the certification, operation and organization of psychiatric inpatient units of general hospitals serving children and adults.

3. Needs and benefits: The proposed rule will require that inpatient psychiatric units of general hospitals follow comprehensive standards for admission and discharge of individuals from psychiatric inpatient units. These amendments were considered after a multi-year quality collaborative with hospitals (the High Risk Quality Collaborative) developed consensus statements to reduce the risk of suicide, violence, and opioid overdose and extensive outreach to hospitals, ambulatory community providers and other stakeholders leading to the development of a guidance document which was shared with the field for comment. Pursuant to the Commissioner's general oversight of persons with mental illness to ensure those individuals are provided with care, treatment and rehabilitation is of a high quality and effectiveness, these changes were necessary to ensure the proper and appropriate delivery of services through fostering linkages with community care providers. These changes ensure that treatment will be provided with more of a person-centered approach, leading to more accurate treatment and successful discharges that allow individuals to prolong community tenure. The proposed rule will add new requirements for comprehensive screenings of suicide, violence, and substance use and provides a definition for complex needs. These evaluations and standards for admission, coordination with community providers, and discharge planning should help improve patient outcomes; reduce the risk of post-discharge overdose, self-harm, and violence; and reduce the risk of readmission and disconnection from care.

These amendments include provisions to: remove outdated references to behavioral health organizations and define Managed Care (MCO), remove definition for concurrent review and define utilization review. It provides uniform definition of Collateral, Credentialed Alcoholism and Substance Abuse Counselor (CASAC), creates a new definition of Individual with Complex Needs, Governing Body, Interventional Therapies, and defines Intensive care management. The rule provides definitions for person-centered process, psychiatric advance directive, PSYCKES, shared decision making and SHIN-NY. It clarifies that policies and procedures must conform with confidentiality, clarifies that services shall be provided through a person-centered process with shared decision making and should be informed by the understanding that implicit bias may affect the assessment, diagnosis, treatment and discharge planning of Black, Indigenous, People of Color and other marginalized individuals. The proposal provides admission requirements which shall include an enhanced review of documentation including assessments, treatment, and other services provided in referring outpatient, emergency, or program and prior presentations; collateral information in PSYCKES and any other available information network and a review to see if the individual has a Psychiatric Advance Directive (PAD) or other wellness plan and preferred contacts in PSYCKES. Screenings on admission and documented in the individual's chart will include: suicide risk using a validated instrument, violence risk screening and assessment and inquiries about access to firearms or other weapons, substance use screenings using a validated instrument and a de-

termination shall be made as to whether an individual has complex needs. Discharge plans shall reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. Enhanced discharge procedures for discharges of individuals with complex needs, including communications with the receiving outpatient treatment program and residential or other long-term care program on the day of discharge, contact with aftercare providers to schedule and confirm a follow up appointment to occur within seven calendar days following discharge. Individuals with complex needs enrolled in outpatient or residential care management, must coordinate discharge plan details and timing with care managers.

4. Costs:

(a) Cost to State government: These regulatory amendments will not result in any additional costs to the State government. Hospitals already have staff that are responsible for conducting evaluation and treatment, doing discharge planning, and maintaining relationships with community agencies. These proposed regulations will not add a requirement for further staff; they clarify and standardize what is already expected of staff. Facilities can use the same electronic medical records they currently use.

(b) Cost to local government: These regulatory amendments will not result in any additional costs to local government.

(c) Cost to regulated parties: These regulatory amendments will not result in any additional costs to those regulated parties.

5. Local government mandates: These regulatory amendments will not result in any additional imposition of duties or responsibilities upon county, city, town, village, school or fire districts.

6. Paperwork: No substantial increase in paperwork is anticipated as a result of the amendments to 14 NYCRR Part 580. Hospitals have staff that are responsible for conducting evaluation and treatment, doing discharge planning, and maintaining relationships with community agencies. These proposed regulations clarify and standardize what is already expected of staff. Facilities can use the same electronic medical records they currently use.

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

8. Alternatives: No alternatives were considered, as these amendments seek to ensure that psychiatric inpatient settings provide safe, comprehensive, and evidence based treatment. These amendments were considered after a multi-year quality collaborative with hospitals (the High Risk Quality Collaborative) developed consensus statements to reduce the risk of suicide, violence, and opioid overdose and extensive outreach to hospitals, ambulatory community providers, and other stakeholders leading to the development of a guidance document which was shared with the field for comment. Pursuant to the Commissioner's general oversight of persons with mental illness to ensure those individuals are provided with care, treatment and rehabilitation is of a high quality and effectiveness, these changes were necessary to ensure the proper and appropriate delivery of services through fostering linkages with community care providers. These changes ensure that treatment will be provided with more of a person-centered approach, leading to more accurate treatment and successful discharges that allow individuals to prolong community tenure. New standards for discharge planning will ensure that individuals will be discharged to an appropriate setting according to their needs. Discharge planning will include confirmed, scheduled outpatient appointments. For individuals with complex needs and who have a care manager, inpatient staff will coordinate plan details and timing with care managers. All individuals should be referred for outpatient mental health services which are person-centered, recovery-oriented designed to help individuals achieve and maintain recovery from mental health conditions by treating the symptoms of those conditions and restoring skills which have been lost due to the onset of mental illness and which are necessary for individuals to manage and cope with the symptoms and behaviors associated with mental health conditions and function successfully in the community. New standards for discharge planning will ensure that individuals will be discharged to an appropriate setting according to their needs. Discharge planning will include confirmed, scheduled outpatient appointments. For individuals with complex needs and who have a care manager, inpatient staff will coordinate plan details and timing with care managers. All individuals should be referred for outpatient mental health services which are person-centered, recovery-oriented designed to help individuals achieve and maintain recovery from mental health conditions by treating the symptoms of those conditions and restoring skills which have been lost due to the onset of mental illness and which are necessary for individuals to manage and cope with the symptoms and behaviors associated with mental health conditions and function successfully in the community.

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

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

**Revised Regulatory Flexibility Analysis**

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

**Revised Rural Area Flexibility Analysis**

The amendments to Part 580 14 NYCRR will require that inpatient psychiatric units of general hospitals follow comprehensive standards for admission and discharge of patients from psychiatric inpatient units. The proposed rule will add new requirements for evidence-based standards for screenings and creates standards for safe discharges. The amendments will not impose any adverse economic impact on rural areas; therefore, a Rural Area Flexibility Analysis is not submitted with this notice.

**Revised Job Impact Statement**

A Job Impact Statement is not needed as this proposed rule requires that inpatient units of general hospitals follow comprehensive standards for admission and discharge of patients from psychiatric inpatient units in an effort to coordinate appropriate care and reduce the amount of unnecessary and reoccurring visits. There will be no adverse impact on jobs and employment opportunities as a result of the proposed amendments to 14 NYCRR Part 580.

**Initial Review of Rule**

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

**Assessment of Public Comment**

Comment 1: A commenter recommended the inclusion of a definition for child in Part 590.

Response 1: The Office has reviewed the comment and no changes to the language is necessary. All references to Child is from preexisting language in the regs, further Part 590 has no specific reference in the regulation to Child (or youth) so no definition is required. The term Child/children is used multiple times in Parts 580 and 582 thus requiring the existing definition.

Comment 2: A commenter noted there is extensive definition of abuse and neglect of kids in Part 582 but not in Parts 580 and 590.

Response 2: The Office has reviewed this comment and no changes to the language is required. This language is pre-existing in Part 582, and not part of the new amendments relating to the Admission and Discharge amendments.

Comment 3: A commenter noted that in Part 580, a criteria for individuals with complex need got inadvertently left out of the copy that was posted.

Response 3: The Office has reviewed the comment and added the language so that all definitions are consistent between Parts 580, 582 and 590. The full language was incorporated in the materials presented to the BHSAC.

Comment 4: A commenter noted that the definitions of hospitals are different for Parts 580, 582 and 590.

Response 4: The Office has reviewed the Comment and is recommending changes to the Part 582 definition as the current definition is overbroad. It should be noted it is appropriate for such definitions to not be uniform as they address separate facilities. Part 590 is pre-existing language which defines hospital to be a General hospital as defined in article 28 of the Public Health Law. Part 580 is also pre-existing language which defines the Psychiatric inpatient unit of a general hospital or unit to mean any part of a hospital, as defined in article 28 of the Public Health Law, operated for the purpose of providing a program of 24-hour professional care and treatment to persons with mental illness.

Comment 5: A Commentor expressed concern about the proposed regulation as it relates to scheduling and confirming follow-up appointments within 7 days before discharge, particularly for weekend or evening discharges.

Response 5: The comment was reviewed by the Office. The Office notes that communicating with outpatient, care coordination and residential providers is the current clinical standard of care. While discharges may occur off hours, inpatient units need to arrange for adequate follow up prior to the discharge. When an appointment for mental health services cannot be made within seven calendar days, a CPEP's crisis outreach team or other available CPEP staff will provide crisis outreach until the initial appointment occurs. For hospitals, there is some flexibility which takes these concerns into account. If, after making diligent efforts, a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, the hospital should document its efforts and schedule the appointment for as soon as possible thereafter. As such, no amendments are necessary.

Comment 6: A Commentor stated the proposed level of in-hospital care management coordination will be a strain on the system which may result in extended hospital stays and requires more planning and consideration.

Response 6: The comment was reviewed by the office. Engaging care managers prior to discharge will facilitate the development and implementation of effective discharge plans. It is anticipated that such coordination with community care managers will decrease the burden on staff who are responsible for discharge planning.

Comment 7: A Commentor noted that the Psychiatric Services and Clinical Knowledge Enhancement System (PSYCKES) is a necessary component to identify Individuals with Complex Needs. Further, the Commentor recommended the integration of PSYCKES with the Department of Health's Prescription Monitoring Program (PMP) into electronic medical records to reduce information gathering burdens and that the Complex Needs Quality Indicator flag criteria must meet that of the regulatory definition.

Response 7: The comment was reviewed by the offices and no amendment was determined to be necessary to the extend the comment is outside the scope of the rule. Such comment will be considered for future data sharing conversations.

Comment 8: A Commentor stated that verbal clinical sign outs on the day of discharge or as soon as possible will be a challenge in light of capacity issues within the system, and recommends that such requirements must be in alignment with non-hospital providers.

Response 8: The comment was reviewed by the office. The Office notes that communicating with outpatient, care coordination and residential providers is the current standard. The Office is currently working to promulgate rules aligning community providers with this regulatory package. As such, no amendments are necessary.

Comment 9: A Commentor recommended that the Office expedite a Data Use Agreement to facilitate hospital access to de-identified aggregate data that can be used to support hospital Quality Assurance and Performance Improvement activities.

Response 9: The comment was reviewed by the office and no amendment was determined to be necessary as the comment is outside the scope of the rule. Such comment will be considered for future data conversations.

Comment 10: A Commentor recommended providing flexibility for consent to treating minors who have family residing a distance from the facility and additional language relating to the use of technology and phone access for minors.

Response 10: The comment was reviewed by the office and no amendment was determined to be necessary as the comment is outside the scope of the rule. The Office recognizes the concern and continues to provide guidance on youth matters while deferring to hospital policy and clinical judgement on a case-by-case level.

Comment 11: A commentor urged for the inclusion of monitoring and enforcement language regarding the documentation of efforts to secure a follow up appointment: "The unit / CPEP shall make notification to the Office of Mental Health, in a method prescribed by the Commissioner, when an appointment for psychiatric aftercare is made."

Response 11: The comment was reviewed by the Office and no amendment is determined to be necessary. The Office will provide additional information regarding appropriate documentation, through guidance.

Comment 12: A commenter noted that language should be added to for youth who are legally designated in the care of a non-profit child-serving agency, to allow that provider's staff to accompany the youth in their care throughout assessment and the determination of next steps to prevent avoidable incidents.

Response 12: The comment was reviewed by the Office and no amendment was determined to be necessary as such determinations must be made in accordance with appropriate clinical judgement.

Comment 13: A commenter recommended adding language requiring sexual exploitation assessments to the list of screenings.

Response 13: The comment was reviewed by the Office and no amendment was determined to be necessary as such screenings may be performed where clinical judgement indicates the appropriateness of such screening.

## NOTICE OF ADOPTION

### Admission and Discharge Criteria for Comprehensive Psychiatric Emergency Programs

I.D. No. OMH-04-24-00007-A

Filing No. 1011

Filing Date: 2024-12-03

Effective Date: 2024-12-18

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

**Action taken:** Amendment of Part 590 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 7.07, 7.09, 29.15, 31.04 and 43.02; Social Services Law, sections 364 and 364-a

**Subject:** Admission and Discharge Criteria for Comprehensive Psychiatric Emergency Programs.

**Purpose:** To standardize admissions and discharges.

**Substance of final rule:** In addition to technical amendments updating this regulation consistent with Title 14 and eliminating outdated terminology, the Proposed Rule amends Part 590 as follows:

Part 590.1. Background and Intent. Provides that it is the intention of this Part to provide for a person-centered process and that compliance with this Part shall ensure that services are collaborative in nature.

Part 590.2. Legal Base. No substantive edits.

Part 590.3. Applicability. No substantive edits.

Part 590.4. Definitions. Amendments to clarify the definition of I-STOP and PMP to conform with Department of Health's regulations.

Part 590.5. Certification. No substantive edits.

Part 590.6. Organization and administration. No additional amendments from prior version. Clarifies that services may not be denied individuals solely on the basis of multiple diagnoses or a diagnosis of HIV infection, other chronic medical comorbidity, history of suicide attempt, history of violence, criminal and juvenile justice system involvement, personality disorder, substance use disorder, or intellectual or developmental disability.

Part 590.7. Emergency service plan. No additional amendments from prior version. Clarifies that the total number of extended observation beds must be approved by the office.

Part 590.8. Admission and discharge procedures.

-Clarifies that services shall be provided through a person-centered process with shared decision making and should be informed by the understanding that implicit bias may affect the assessment, diagnosis, treatment and discharge planning of Black, Indigenous, People of Color and other marginalized individuals.

-Clarifies that any person receiving a triage and referral visit must be examined by a staff physician or psychiatric nurse practitioner within six hour after being received into the CPEP.

-When an individual is admitted clinical staff shall in accordance with HIPAA and Mental Hygiene Law 33.13: review documentation of assessments, treatment, and other services provided in referring outpatient, emergency, or program and prior presentations; attempt to obtain collateral information on all admitted individuals unless the presentation is due to a non-emergent reason; review information in PSYCKES regarding prior psychiatric and medical history; review information in any other available information network databases regarding admitted individuals; and check to see if the individual has a Psychiatric Advance Directive (PAD) or other wellness plan and preferred contacts in PSYCKES.

-The amended version of the rule provides clarification that only a practitioner or designee as defined by Article 33 of the Public Health law can access the I-STOP and PMP registry to obtain the controlled substance prescription history of each admitted individual.

-The following screenings shall take place on admission and documented in the individual's chart: suicide risk using a validated instrument, violence risk screening and assessment and inquiries about access to firearms or other weapons, substance use screenings using a validated instrument and a determination shall be made as to whether an individual has complex needs.

-Discharge plans shall reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. When determining whether an individual is ready for discharge the whole clinical presentation and history, as well as the availability of existing services and supports in the individual's community, must be considered. This includes if an individual resides in a residential program licensed by the office or supportive housing. The discharge plan shall be developed through shared decision making in a person-centered process and must reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. For discharges of individuals with complex needs, the CPEP must provide a verbal clinical sign-out to the receiving outpatient treatment program and the residential program licensed or funded by the office or Office of Addiction Services and Supports, Office for Persons with Developmental Disabilities or the Department of Health where the individual will reside after discharge. The CPEP must send a discharge summary detailing the presenting history of present illness (HPI), hospital course, and other relevant information to the outpatient, residential, or long-term care program within seven days of discharge, in accordance with section 33.13 of the Mental Hygiene Law. If the individual is enrolled in outpatient, residential care management, or has an active AOT order, CPEP staff must coordinate discharge plan details and timing with care managers. Prior to discharge, and in accordance with section 33.13 of the Mental Hygiene Law, the CPEP shall schedule and confirm a follow up

appointment with an identified provider to occur within seven calendar days following discharge or document such efforts and secure an appointment for as soon as possible thereafter. A referral to a walk-in intake clinic is insufficient to meet this requirement. When an appointment for mental health services cannot be made within seven calendar days, crisis outreach teams or other available comprehensive psychiatric emergency program staff shall provide crisis outreach until the initial appointment occurs and such services shall be reimbursed pursuant to section 591.4 of this Title. All individuals must be screened for suicidality prior to their discharge. Discharge of individuals with an elevated risk of violence must include, to every extent possible, close collaboration with current and new outpatient treatment providers, residential providers if applicable, and the county DCS if applicable to incorporate strategies to address violence risk factors and access to weapons into the overall discharge plan in accordance with section 33.13 of the Mental Hygiene Law. Individuals who meet criteria for any substance use disorder shall be offered pharmacological interventions, if appropriate, and referred to a new or existing provider who can continue treatment for their substance use disorder.

Part 590.9. Services. No amendments from prior version. Clarifies that if a triage and referral visit is not conducted, a full emergency service shall be performed.

Part 590.10. Staffing. No amendments from prior version. Clarifies when providing crisis outreach at a site other than the emergency room of the comprehensive psychiatric emergency program a member of the professional staff may respond alone if such need is determined for an initial crisis outreach visit. For crisis outreach provided as a follow up to an initial crisis outreach visit or CPEP admission, a member of the staff may respond alone if such need is determined. This service may be provided by professional staff, staff possessing a bachelor's degree or staff with a peer certification or credential working within their scope of practice.

Part 590.11. Special treatment procedures. No substantive edits.

Part 590.12. Case records. No amendments from prior version. Clarifies that peer specialists, recovery peer advocates, family peer advocate or youth peer advocate may have access to case records. Clarifies that housing providers should be attempted to be contacted as part of collateral documentation.

Part 590.13. Premises. No amendments from prior version. Provides that extended observation beds may be located outside the CPEP upon authorization by the Office of Mental Health.

Part 590.14. Statistical records and reports. No substantive edits.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 582.3(k).

**Revised rule making(s) were previously published in the State Register on July 31, 2024.**

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

#### **Revised Regulatory Impact Statement**

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

Sections 7.09 and 31.04 of the Mental Hygiene Law grant the Commissioner of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction, and to set standards of quality and adequacy of facilities, equipment, personnel, services, records and programs for the rendition of services for adults diagnosed with mental illness or children diagnosed with emotional disturbance, pursuant to an operating certificate.

Section 43.02 of the Mental Hygiene Law gives the Commissioner the authority to request from operators of facilities licensed by the Office of Mental Health such financial, statistical and program information as the Commissioner may determine to be necessary.

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

Section 29.15 of the Mental Hygiene Law establishes requirements for the discharge or conditional release of patients from hospitals operated by the Office of Mental Health or from psychiatric inpatients services subject to licensure by this office.

2. Legislative objectives: Articles 7 and 31 of the Mental Hygiene Law reflect the Commissioner's authority to establish regulations regarding mental health programs. The proposed rule furthers the legislative policy of providing high quality inpatient mental health services to individuals with mental illness and to require standard screenings and assessments to take place on admission, require active coordination with community and residential providers, and to require comprehensive discharge plans. Part

590 of Title 14 NYCRR sets forth standards for the certification, operation and organization of comprehensive psychiatric emergency programs (CPEP).

3. Needs and benefits: The proposed rule will require that CPEPs follow comprehensive standards for admission and discharge of individuals. These amendments were considered after a multi-year quality collaborative with hospitals (the High Risk Quality Collaborative) developed consensus statements to reduce the risk of suicide, violence, and opioid overdose and extensive outreach to hospitals, ambulatory community providers and other stakeholders leading to the development of a guidance document which was shared with the field for comment. Pursuant to the Commissioner's general oversight of persons with mental illness to ensure those individuals are provided with care, treatment and rehabilitation is of a high quality and effectiveness, these changes were necessary to ensure the proper and appropriate delivery of services through fostering linkages with community care providers. These changes ensure that treatment will be provided with more of a person-centered approach, leading to more accurate treatment and successful discharges that allow individuals to prolong community tenure.

The proposed rule will remove outdated references to behavioral health organizations and defines Managed Care (MCO), removes the definition for concurrent review and defines utilization review. The rule provides uniform definitions of Collateral, Credentialed Alcoholism and Substance Abuse Counselor, (CASAC), certified recovery peer advocate, certified or credentialed family peer advocate, certified or credentialed youth peer advocate; creates a new definition of Individual with Complex Needs, Governing Body, Interventional Therapies, and Intensive care management. The rule also provides definitions for person-centered process, psychiatric advance directive, PSYCKES, shared decision making and SHIN-NY and clarifies that services shall be provided through a person-centered process with shared decision making and should be informed by the understanding that implicit bias may affect the assessment, diagnosis, treatment and discharge planning of Black, Indigenous, People of Color and other marginalized individuals. The proposal clarifies that any person receiving a triage and referral visit must be examined by a staff physician or psychiatric nurse practitioner within six hour after being received into the CPEP. It provides admission requirements which shall include an enhanced review of documentation including assessments, treatment, and other services provided in referring outpatient, emergency, or program and prior presentations; collateral information in PSYCKES and any other available information network and a review to see if the individual has a Psychiatric Advance Directive (PAD) or other wellness plan and preferred contacts in PSYCKES. Screenings on admission and documented in the individual's chart will include: suicide risk using a validated instrument, violence risk screening and assessment and inquiries about access to firearms or other weapons, substance use screenings using a validated instrument and a determination shall be made as to whether an individual has complex needs. When determining whether an individual is ready for discharge the whole clinical presentation and history, as well as the availability of existing services and supports in the individual's community, must be considered. This includes if an individual resides in a residential program licensed by the office or supportive housing. The discharge plan shall be developed through shared decision making in a person-centered process and must reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. For discharges of individuals with complex needs, the CPEP must provide a verbal clinical sign-out to the receiving outpatient treatment program and the residential or long-term care program licensed or funded by the office or another office within the department or the Department of Health where the individual will reside.

If the individual is enrolled in outpatient, residential care management, or has an active AOT order, CPEP staff must coordinate discharge plan details and timing with care managers. MCO must be notified prior to discharge, of individuals with complex needs who are eligible but not yet enrolled, or who are in need of care management or intensive care management. Prior to discharge, and in accordance with section 33.13 of the Mental Hygiene Law, the CPEP shall schedule and confirm a follow up appointment with an identified provider to occur within seven calendar days following discharge or document such efforts and secure an appointment for as soon as possible thereafter. A referral to a walk-in intake clinic is insufficient to meet this requirement. When an appointment for mental health services cannot be made within seven calendar days, crisis outreach teams or other available comprehensive psychiatric emergency program staff shall provide crisis outreach until the initial appointment occurs and such services shall be reimbursed pursuant to section 591.4 of Title 14. All individuals must be screened for suicidality prior to their discharge. Individuals who meet criteria for any substance use disorder shall be offered pharmacological interventions, if appropriate, and referred to a new or existing provider who can continue treatment for their substance use disorder. Individuals who require treatment with an antipsychotic medica-

tion but have history of difficulty with consistently taking oral medications, shall be considered for treatment, through shared decision making, with a long-acting injectable medication. The proposal also clarifies that if a triage and referral visit is not conducted, a full emergency service shall be performed and that when providing crisis outreach at a site other than the emergency room of the comprehensive psychiatric emergency program a member of the professional staff may respond alone if such need is determined for an initial crisis outreach visit. For crisis outreach provided as a follow up to an initial crisis outreach visit or CPEP admission, a member of the staff may respond alone if such need is determined. This service may be provided by professional staff, staff possessing a bachelor's degree or staff with a peer certification or credential working within their scope of practice.

The amended version of the rule provides clarification that only a practitioner or designee as defined by Article 33 of the Public Health law can access the I-STOP and PMP registry to obtain the controlled substance prescription history of each admitted individual and clarifies the definition of I-STOP and PMP to conform with Department of Health's regulations.

#### 4. Costs:

(a) Cost to State government: These regulatory amendments will not result in any additional costs to the State government. CPEP's already have staff that are responsible for conducting evaluation and treatment, doing discharge planning, and maintaining relationships with community agencies. These proposed regulations will not add a requirement for further staff; they clarify and standardize what is already expected of staff. Facilities can use the same electronic medical records they currently use.

(b) Cost to local government: These regulatory amendments will not result in any additional costs to local government.

(c) Cost to regulated parties: These regulatory amendments will not result in any additional costs to those regulated parties.

5. Local government mandates: These regulatory amendments will not result in any additional imposition of duties or responsibilities upon county, city, town, village, school or fire districts.

6. Paperwork: No substantial increase in paperwork is anticipated as a result of the amendments to 14 NYCRR Part 590. CPEPs have staff that are responsible for conducting evaluation and treatment, doing discharge planning, and maintaining relationships with community agencies. These proposed regulations clarify and standardize what is already expected of staff. Facilities can use the same electronic medical records they currently use.

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

8. Alternatives: No alternatives were considered, as these amendments seek to ensure that CPEPs provide safe, comprehensive, and evidence based treatment. These amendments were considered after a multi-year quality collaborative with hospitals (the High Risk Quality Collaborative) developed consensus statements to reduce the risk of suicide, violence, and opioid overdose and extensive outreach to hospitals, ambulatory community providers, and other stakeholders leading to the development of a guidance document which was shared with the field for comment. Pursuant to the Commissioner's general oversight of persons with mental illness to ensure those individuals are provided with care, treatment and rehabilitation is of a high quality and effectiveness, these changes were necessary to ensure the proper and appropriate delivery of services through fostering linkages with community care providers. These changes ensure that treatment will be provided with more of a person-centered approach, leading to more accurate treatment and successful discharges that allow individuals to prolong community tenure. New standards for discharge planning will ensure that individuals will be discharged to an appropriate setting according to their needs. Discharge planning will include confirmed, scheduled outpatient appointments. For individuals with complex needs and who have a care manager, inpatient staff will coordinate plan details and timing with care managers. All individuals should be referred for outpatient mental health services which are person-centered, recovery-oriented designed to help individuals achieve and maintain recovery from mental health conditions by treating the symptoms of those conditions and restoring skills which have been lost due to the onset of mental illness and which are necessary for individuals to manage and cope with the symptoms and behaviors associated with mental health conditions and function successfully in the community.

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

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

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

No regulatory flexibility analysis is required pursuant to section 202-(b)(3)(a) of the State Administrative Procedure Act. The proposed amendment does not impose an adverse economic impact on small businesses or

local governments, and it does not impose reporting, record keeping or other compliance requirements on small businesses or local governments.

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

The amendments to Part 590 of title 14 NYCRR will require that operation of comprehensive psychiatric emergency programs follow comprehensive standards for admission and discharge of patients. The proposed rule will add new requirements for evidence-based standards for screenings and creates standards for safe discharges. The amendments will not impose any adverse economic impact on rural areas; therefore, a Rural Flexibility Analysis is not submitted with this notice.

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

A job impact statement is not needed as this proposed rule requires that comprehensive psychiatric emergency programs follow comprehensive standards for admission and discharge of patients in an effort to coordinate appropriate care and reduce the amount of unnecessary and reoccurring visits. There will be no adverse impact on jobs and employment opportunities as a result of the proposed amendments to 14 NYCRR Part 590.

#### **Initial Review of Rule**

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

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

Comment 1: A commenter recommended the inclusion of a definition for child in Part 590.

Response 1: The Office has reviewed the comment and no changes to the language is necessary. All references to Child is from preexisting language in the regs, further Part 590 has no specific reference in the regulation to Child (or youth) so no definition is required. The term Child/children is used multiple times in Parts 580 and 582 thus requiring the existing definition.

Comment 2: A commenter noted there is extensive definition of abuse and neglect of kids in Part 582 but not in Parts 580 and 590.

Response 2: The Office has reviewed this comment and no changes to the language is required. This language is pre-existing in Part 582, and not part of the new amendments relating to the Admission and Discharge amendments.

Comment 3: A commenter noted that in Part 580, a criteria for individuals with complex need got inadvertently left out of the copy that was posted.

Response 3: The Office has reviewed the comment and added the language so that all definitions are consistent between Parts 580, 582 and 590. The full language was incorporated in the materials presented to the BHSAC.

Comment 4: A commenter noted that the definitions of hospitals are different for Parts 580, 582 and 590.

Response 4: The Office has reviewed the Comment and is recommending changes to the Part 582 definition as the current definition is overbroad. It should be noted it is appropriate for such definitions to not be uniform as they address separate facilities. Part 590 is pre-existing language which defines hospital to be a General hospital as defined in article 28 of the Public Health Law. Part 580 is also pre-existing language which defines the Psychiatric inpatient unit of a general hospital or unit to mean any part of a hospital, as defined in article 28 of the Public Health Law, operated for the purpose of providing a program of 24-hour professional care and treatment to persons with mental illness.

Comment 5: A Commentor expressed concern about the proposed regulation as it relates to scheduling and confirming follow-up appointments within 7 days before discharge, particularly for weekend or evening discharges.

Response 5: The comment was reviewed by the Office. The Office notes that communicating with outpatient, care coordination and residential providers is the current clinical standard of care. While discharges may occur off hours, inpatient units need to arrange for adequate follow up prior to the discharge. When an appointment for mental health services cannot be made within seven calendar days, a CPEP's crisis outreach team or other available CPEP staff will provide crisis outreach until the initial appointment occurs. For hospitals, there is some flexibility which takes these concerns into account. If, after making diligent efforts, a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, the hospital should document its efforts and schedule the appointment for as soon as possible thereafter. As such, no amendments are necessary.

Comment 6: A Commentor stated the proposed level of in-hospital care management coordination will be a strain on the system which may result in extended hospital stays and requires more planning and consideration.

Response 6: The comment was reviewed by the office. Engaging care managers prior to discharge will facilitate the development and implementation of effective discharge plans. It is anticipated that such coordination



with community care managers will decrease the burden on staff who are responsible for discharge planning.

Comment 7: A Commentor noted that the Psychiatric Services and Clinical Knowledge Enhancement System (PSYCKES) is a necessary component to identify Individuals with Complex Needs. Further, the Commentor recommended the integration of PSYCKES with the Department of Health's Prescription Monitoring Program (PMP) into electronic medical records to reduce information gathering burdens and that the Complex Needs Quality Indicator flag criteria must meet that of the regulatory definition.

Response 7: The comment was reviewed by the offices and no amendment was determined to be necessary to the extend the comment is outside the scope of the rule. Such comment will be considered for future data sharing conversations.

Comment 8: A Commentor stated that verbal clinical sign outs on the day of discharge or as soon as possible will be a challenge in light of capacity issues within the system, and recommends that such requirements must be in alignment with non-hospital providers.

Response 8: The comment was reviewed by the office. The Office notes that communicating with outpatient, care coordination and residential providers is the current standard. The Office is currently working to promulgate rules aligning community providers with this regulatory package. As such, no amendments are necessary.

Comment 9: A Commentor recommended that the Office expedite a Data Use Agreement to facilitate hospital access to de-identified aggregate data that can be used to support hospital Quality Assurance and Performance Improvement activities.

Response 9: The comment was reviewed by the office and no amendment was determined to be necessary as the comment is outside the scope of the rule. Such comment will be considered for future data conversations.

Comment 10: A Commentor recommended providing flexibility for consent to treating minors who have family residing a distance from the facility and additional language relating to the use of technology and phone access for minors.

Response 10: The comment was reviewed by the office and no amendment was determined to be necessary as the comment is outside the scope of the rule. The Office recognizes the concern and continues to provide guidance on youth matters while deferring to hospital policy and clinical judgement on a case-by-case level.

Comment 11: A commentor urged for the inclusion of monitoring and enforcement language regarding the documentation of efforts to secure a follow up appointment: "The unit / CPEP shall make notification to the Office of Mental Health, in a method prescribed by the Commissioner, when an appointment for psychiatric aftercare is made."

Response 11: The comment was reviewed by the Office and no amendment is determined to be necessary. The Office will provide additional information regarding appropriate documentation, through guidance.

Comment 12: A commenter noted that language should be added to for youth who are legally designated in the care of a non-profit child-serving agency, to allow that provider's staff to accompany the youth in their care throughout assessment and the determination of next steps to prevent avoidable incidents.

Response 12: The comment was reviewed by the Office and no amendment was determined to be necessary as such determinations must be made in accordance with appropriate clinical judgement.

Comment 13: A commenter recommended adding language requiring sexual exploitation assessments to the list of screenings.

Response 13: The comment was reviewed by the Office and no amendment was determined to be necessary as such screenings may be performed where clinical judgement indicates the appropriateness of such screening.

## NOTICE OF ADOPTION

### Admission and Discharge Criteria for Hospitals for Persons with Mental Illness

**I.D. No.** OMH-04-24-00008-A

**Filing No.** 1010

**Filing Date:** 2024-12-03

**Effective Date:** 2024-12-18

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

**Action taken:** Amendment of Part 582 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 7.07, 7.09, 29.15, 31.04, 43.02; Social Services Law, sections 364 and 364-a

**Subject:** Admission and Discharge Criteria for Hospitals for Persons with Mental Illness.

**Purpose:** To standardize admissions and discharges.

**Substance of final rule:** Part 582

In addition to technical amendments updating this regulation consistent with Title 14 and eliminating outdated terminology, the Proposed Rule amends Part 582 as follows:

Part 582.1. Background and Intent. Provides that it is the intention of this Part to provide for a person-centered process and that compliance with this Part shall ensure that services are collaborative in nature.

Part 582.2. Legal Base. Removes references to Social Services Law § 365m.

Part 582.3. Definitions. Includes removing outdated references to behavioral health organizations and defines Managed Care (MCO), removes definition for concurrent review and defines utilization review. Provides uniform definition of Collateral, Credentialed Alcoholism and Substance Abuse Counselor (CASAC), creates a new definition of Individual with Complex Needs, Governing Body, Interventional Therapies, defines Intensive care management. Provides definitions for person-centered process, psychiatric advance directive, PSYCKES, shared decision making and SHIN-NY.

Part 582.4. Certification. No substantive edits.

Part 582.5. Organization and administration. Clarifies that policies and procedures must conform with confidentiality. Clarifies policies ensuring patient rights. Clarifies education programming requirements for school age children.

Part 582.6. Program.

-Clarifies that services shall be provided through a person-centered process with shared decision making and should be informed by the understanding that implicit bias may affect the assessment, diagnosis, treatment and discharge planning of Black, Indigenous, People of Color and other marginalized individuals.

-When an individual is admitted clinical staff shall in accordance with HIPAA and Mental Hygiene Law 33.13: review documentation of assessments, treatment, and other services provided in referring outpatient, emergency, or program and prior presentations; attempt to obtain collateral information on all admitted individuals; review information in PSYCKES regarding prior psychiatric and medical history; review information in any other available information network databases regarding admitted individuals; and check to see if the individual has a Psychiatric Advance Directive (PAD) or other wellness plan and preferred contacts in PSYCKES.

-The following screenings shall take place on admission and documented in the individual's chart: suicide risk using a validated instrument, violence risk screening and assessment and inquiries about access to firearms or other weapons, substance use screenings using a validated instrument and a determination shall be made as to whether an individual has complex needs.

-Discharge plans shall reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. For discharges of individuals with complex needs, the discharging unit shall provide a verbal clinical sign-out to the receiving outpatient treatment program and residential or other long-term care program on the day of discharge, or as soon as possible thereafter in accordance with section 33.13 of the Mental Hygiene Law. Prior to discharge, the hospital shall contact aftercare providers to schedule and confirm a follow up appointment to occur within seven calendar days following discharge. Where a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, after documenting diligent efforts, such appointment should be scheduled for as soon as possible. Individuals with complex needs enrolled in outpatient or residential care management, must coordinate discharge plan details and timing with care managers. For individuals in need of intensive care management, staff shall make a referral to an intensive care management provider. All individuals shall be screened for suicidality prior to their discharge. When determining whether an individual is ready for discharge and the most appropriate discharge setting, the whole clinical presentation and history, as well as the availability of existing services in the individual's community, shall be considered. Individuals who meet criteria for any substance use disorder shall be offered pharmacological interventions, if appropriate, and referred to a new or existing provider who can continue their treatment for their substance use disorder. Individuals who require treatment with an antipsychotic medication but have history of difficulty with consistently taking oral medications, shall be considered through shared decision making, for treatment with a long-acting injectable medication.

Part 582.7. Staffing. No substantive edits.

Part 582.8. Premises. Clarifies Electroconvulsive therapy (ECT) may not be used as an emergency procedure. Clarifies existing rule that no facility shall use restraint or seclusion without a written plan for the use of restraint or seclusion in accordance with section 526.4 of this Title. No facility shall use extraordinary risk procedures. Extraordinary risk procedures include, but are not limited to, experimental treatment modalities and aversive conditioning.

Part 582.9. Records and Statistics. Clarifies case records should include: a record of communication with family, outpatient providers, and other significant sources of collateral information; notes which relate to special circumstances and untoward incidents including but not limited to, the use of any seclusion or restraints; documentation of any referrals within the hospital or to another agency; and documentation of voluntary or involuntary status and other information as requested by the Office.

Part 582.10. Community Relations. No substantive edits.

Part 582.11 Managed Care Organizations. Conforming edits relating to outdated language.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 582.3(k).

**Revised rule making(s) were previously published in the State Register on July 31, 2024.**

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

#### **Revised Regulatory Impact Statement**

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

Sections 7.09 and 31.04 of the Mental Hygiene Law grant the Commissioner of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction, and to set standards of quality and adequacy of facilities, equipment, personnel, services, records and programs for the rendition of services for adults diagnosed with mental illness or children diagnosed with emotional disturbance, pursuant to an operating certificate.

Section 43.02 of the Mental Hygiene Law gives the Commissioner the authority to request from operators of facilities licensed by the Office of Mental Health such financial, statistical and program information as the Commissioner may determine to be necessary.

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

Section 29.15 of the Mental Hygiene Law establishes requirements for the discharge or conditional release of patients from hospitals operated by the Office of Mental Health or from psychiatric inpatient services subject to licensure by this office.

2. Legislative objectives: Articles 7 and 31 of the Mental Hygiene Law reflect the Commissioner's authority to establish regulations regarding mental health programs. The proposed rule furthers the legislative policy of providing high quality inpatient mental health services to individuals with mental illness and to require standard screenings and assessments to take place on admission, require active coordination with community and residential providers, and to require comprehensive discharge plans. Part 582 of Title 14 NYCRR sets forth standards for the certification, operation and organization of psychiatric inpatient hospitals.

3. Needs and benefits: The proposed rule will require that freestanding psychiatric facilities, certified by the Office of Mental Health will follow comprehensive standards for admission and discharge of individuals. These amendments were considered after a multi-year quality collaborative with hospitals (the High Risk Quality Collaborative) developed consensus statements to reduce the risk of suicide, violence, and opioid overdose and extensive outreach to hospitals, ambulatory community providers and other stakeholders leading to the development of a guidance document which was shared with the field for comment. Pursuant to the Commissioner's general oversight of persons with mental illness to ensure those individuals are provided with care, treatment and rehabilitation is of a high quality and effectiveness, these changes were necessary to ensure the proper and appropriate delivery of services through fostering linkages with community care providers. These changes ensure that treatment will be provided with more of a person-centered approach, leading to more accurate treatment and successful discharges that allow individuals to prolong community tenure. The proposed rule will add new requirements for comprehensive screenings of suicide, violence, and substance use and provides a definition for complex needs. These evaluations and standards for admission, coordination with community providers, and discharge planning should help improve patient outcomes; reduce the risk of post-discharge overdose, self-harm, and violence; and reduce the risk of readmission and disconnection from care.

These amendments include provisions to: remove outdated references to behavioral health organizations and define Managed Care (MCO), remove definition for concurrent review and define utilization review. It provides uniform definition of Collateral, Credentialed Alcoholism and Substance Abuse Counselor (CASAC), creates a new definition of Individual with Complex Needs, Governing Body, Interventional Therapies,

and defines Intensive care management. The rule provides definitions for person-centered process, psychiatric advance directive, PSYCKES, shared decision making and SHIN-NY. It clarifies that policies and procedures must conform with confidentiality, clarifies that services shall be provided through a person-centered process with shared decision making and should be informed by the understanding that implicit bias may affect the assessment, diagnosis, treatment and discharge planning of Black, Indigenous, People of Color and other marginalized individuals. The proposal provides admission requirements which shall include an enhanced review of documentation including assessments, treatment, and other services provided in referring outpatient, emergency, or program and prior presentations; collateral information in PSYCKES and any other available information network and a review to see if the individual has a Psychiatric Advance Directive (PAD) or other wellness plan and preferred contacts in PSYCKES. Screenings on admission and documented in the individual's chart will include: suicide risk using a validated instrument, violence risk screening and assessment and inquiries about access to firearms or other weapons, substance use screenings using a validated instrument and a determination shall be made as to whether an individual has complex needs. Discharge plans shall reflect individual strengths and level of social support and address psychiatric, substance use disorder, chronic medical, and social needs. Enhanced discharge procedures for discharges of individuals with complex needs, including communications with the receiving outpatient treatment program and residential or other long-term care program on the day of discharge, contact with aftercare providers to schedule and confirm a follow up appointment to occur within seven calendar days following discharge. Individuals with complex needs enrolled in outpatient or residential care management, must coordinate discharge plan details and timing with care managers.

#### 4. Costs:

(a) Cost to State government: These regulatory amendments will not result in any additional costs to the State government. Stand alone psychiatric hospitals already have staff that are responsible for conducting evaluation and treatment, doing discharge planning, and maintaining relationships with community agencies. These proposed regulations will not add a requirement for further staff, they clarify and standardize what is already expected of staff. Facilities can use the same electronic medical records they currently use.

(b) Cost to local government: These regulatory amendments will not result in any additional costs to local government.

(c) Cost to regulated parties: These regulatory amendments will not result in any additional costs to those regulated parties.

5. Local government mandates: These regulatory amendments will not result in any additional imposition of duties or responsibilities upon county, city, town, village, school or fire districts.

6. Paperwork: No substantial increase in paperwork is anticipated as a result of the amendments to 14 NYCRR Part 582. Hospitals have staff that are responsible for conducting evaluation and treatment, doing discharge planning, and maintaining relationships with community agencies. These proposed regulations clarify and standardize what is already expected of staff. Facilities can use the same electronic medical records they currently use.

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

8. Alternatives: No alternatives were considered, as these amendments seek to ensure that psychiatric inpatient settings provide safe, comprehensive, and evidence based treatment. These amendments were considered after a multi-year quality collaborative with hospitals (the High Risk Quality Collaborative) developed consensus statements to reduce the risk of suicide, violence, and opioid overdose and extensive outreach to hospitals, ambulatory community providers, and other stakeholders leading to the development of a guidance document which was shared with the field for comment. Pursuant to the Commissioner's general oversight of persons with mental illness to ensure those individuals are provided with care, treatment and rehabilitation is of a high quality and effectiveness, these changes were necessary to ensure the proper and appropriate delivery of services through fostering linkages with community care providers. These changes ensure that treatment will be provided with more of a person-centered approach, leading to more accurate treatment and successful discharges that allow individuals to prolong community tenure. New standards for discharge planning will ensure that individuals will be discharged to an appropriate setting according to their needs. Discharge planning will include confirmed, scheduled outpatient appointments. For individuals with complex needs and who have a care manager, inpatient staff will coordinate plan details and timing with care managers. All individuals should be referred for outpatient mental health services which are person-centered, recovery-oriented designed to help individuals achieve and maintain recovery from mental health conditions by treating the symptoms of those conditions and restoring skills which have been lost due to the onset of mental illness and which are necessary for individuals to manage

and cope with the symptoms and behaviors associated with mental health conditions and function successfully in the community.

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

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

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

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

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

The amendments to Part 582.14 NYCRR will require that operation of hospitals for persons with mental illness follow comprehensive standards for admission and discharge of patients from such facilities. The proposed rule will add new requirements for evidence-based standards for screenings and creates standards for safe discharges. The amendments will not impose any adverse economic impact on rural areas; therefore, a Rural Area Flexibility Analysis is not submitted with this notice.

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

A Job Impact Statement is not needed as this proposed rule requires that hospitals for persons with mental illness, follow comprehensive standards for admission and discharge of patients in an effort to coordinate appropriate care and reduce the amount of unnecessary and reoccurring visits. There will be no adverse impact on jobs and employment opportunities as a result of the proposed amendments to 14 NYCRR Part 582.

#### **Initial Review of Rule**

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

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

Comment 1: A commenter recommended the inclusion of a definition for child in Part 590.

Response 1: The Office has reviewed the comment and no changes to the language is necessary. All references to Child is from preexisting language in the regs, further Part 590 has no specific reference in the regulation to Child (or youth) so no definition is required. The term Child/children is used multiple times in Parts 580 and 582 thus requiring the existing definition.

Comment 2: A commenter noted there is extensive definition of abuse and neglect of kids in Part 582 but not in Parts 580 and 590.

Response 2: The Office has reviewed this comment and no changes to the language is required. This language is pre-existing in Part 582, and not part of the new amendments relating to the Admission and Discharge amendments.

Comment 3: A commenter noted that in Part 580, a criteria for individuals with complex need got inadvertently left out of the copy that was posted.

Response 3: The Office has reviewed the comment and added the language so that all definitions are consistent between Parts 580, 582 and 590. The full language was incorporated in the materials presented to the BHSAC.

Comment 4: A commenter noted that the definitions of hospitals are different for Parts 580, 582 and 590.

Response 4: The Office has reviewed the Comment and is recommending changes to the Part 582 definition as the current definition is overbroad. It should be noted it is appropriate for such definitions to not be uniform as they address separate facilities. Part 590 is pre-existing language which defines hospital to be a General hospital as defined in article 28 of the Public Health Law. Part 580 is also pre-existing language which defines the Psychiatric inpatient unit of a general hospital or unit to mean any part of a hospital, as defined in article 28 of the Public Health Law, operated for the purpose of providing a program of 24-hour professional care and treatment to persons with mental illness.

Comment 5: A Commentor expressed concern about the proposed regulation as it relates to scheduling and confirming follow-up appointments within 7 days before discharge, particularly for weekend or evening discharges.

Response 5: The comment was reviewed by the Office. The Office notes that communicating with outpatient, care coordination and residential providers is the current clinical standard of care. While discharges may occur off hours, inpatient units need to arrange for adequate follow up prior to the discharge. When an appointment for mental health services cannot be made within seven calendar days, a CPEP's crisis outreach team or other available CPEP staff will provide crisis outreach until the initial

appointment occurs. For hospitals, there is some flexibility which takes these concerns into account. If, after making diligent efforts, a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, the hospital should document its efforts and schedule the appointment for as soon as possible thereafter. As such, no amendments are necessary.

Comment 6: A Commentor stated the proposed level of in-hospital care management coordination will be a strain on the system which may result in extended hospital stays and requires more planning and consideration.

Response 6: The comment was reviewed by the office. Engaging care managers prior to discharge will facilitate the development and implementation of effective discharge plans. It is anticipated that such coordination with community care managers will decrease the burden on staff who are responsible for discharge planning.

Comment 7: A Commentor noted that the Psychiatric Services and Clinical Knowledge Enhancement System (PSYCKES) is a necessary component to identify Individuals with Complex Needs. Further, the commentor recommended the integration of PSYCKES with the Department of Health's Prescription Monitoring Program (PMP) into electronic medical records to reduce information gathering burdens and that the Complex Needs Quality Indicator flag criteria must meet that of the regulatory definition.

Response 7: The comment was reviewed by the offices and no amendment was determined to be necessary to the extend the comment is outside the scope of the rule. Such comment will be considered for future data sharing conversations.

Comment 8: A Commentor stated that verbal clinical sign outs on the day of discharge or as soon as possible will be a challenge in light of capacity issues within the system, and recommends that such requirements must be in alignment with non-hospital providers.

Response 8: The comment was reviewed by the office. The Office notes that communicating with outpatient, care coordination and residential providers is the current standard. The Office is currently working to promulgate rules aligning community providers with this regulatory package. As such, no amendments are necessary.

Comment 9: A Commentor recommended that the Office expedite a Data Use Agreement to facilitate hospital access to de-identified aggregate data that can be used to support hospital Quality Assurance and Performance Improvement activities.

Response 9: The comment was reviewed by the office and no amendment was determined to be necessary as the comment is outside the scope of the rule. Such comment will be considered for future data conversations.

Comment 10: A Commentor recommended providing flexibility for consent to treating minors who have family residing a distance from the facility and additional language relating to the use of technology and phone access for minors.

Response 10: The comment was reviewed by the office and no amendment was determined to be necessary as the comment is outside the scope of the rule. The Office recognizes the concern and continues to provide guidance on youth matters while deferring to hospital policy and clinical judgement on a case-by-case level.

Comment 11: A commenter urged for the inclusion of monitoring and enforcement language regarding the documentation of efforts to secure a follow up appointment: "The unit / CPEP shall make notification to the Office of Mental Health, in a method prescribed by the Commissioner, when an appointment for psychiatric aftercare is made."

Response 11: The comment was reviewed by the Office and no amendment is determined to be necessary. The Office will provide additional information regarding appropriate documentation, through guidance.

Comment 12: A commenter noted that language should be added to for youth who are legally designated in the care of a non-profit child-serving agency, to allow that provider's staff to accompany the youth in their care throughout assessment and the determination of next steps to prevent avoidable incidents.

Response 12: The comment was reviewed by the Office and no amendment was determined to be necessary as such determinations must be made in accordance with appropriate clinical judgement.

Comment 13: A commenter recommended adding language requiring sexual exploitation assessments to the list of screenings.

Response 13: The comment was reviewed by the Office and no amendment was determined to be necessary as such screenings may be performed where clinical judgement indicates the appropriateness of such screening.

# Commission on Prosecutorial Conduct

## NOTICE OF ADOPTION

### Operating Rules and Procedures

**I.D. No.** CPC-17-24-00010-A

**Filing No.** 1012

**Filing Date:** 2024-12-03

**Effective Date:** 2024-12-18

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

**Action taken:** Amendment of Part 10400 of Title 9 NYCRR.

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

**Subject:** Operating Rules and Procedures.

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

**Text or summary was published** in the April 24, 2024 issue of the Register, I.D. No. CPC-17-24-00010-P.

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

**Revised rule making(s) were previously published in the State Register** on October 2, 2024.

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

#### Initial Review of Rule

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

#### Assessment of Public Comment

The Commission on Prosecutorial Conduct will publish a policy manual to complement the Commission's responsibilities and procedures as set forth in Judiciary Law § 499-a-f and 9 NYCRR Part 10400.

Comment 1: A commentor requested more clarity on how the Commission will decide to dismiss a complaint without an investigation.

Response 1: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 2: A commentor requested that the Commission provide a complainant with information about why a complaint has been dismissed.

Response 2: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents.

Comment 3: Two commentors requested that the Commission provide standards.

Response 3: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 4: A commentor requested that the Commission automatically authorize investigations in complaints that involve judicial findings of misconduct.

Response 4: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 5: A commentor requested the Commission include "fitness to perform" and "qualifications" as areas it will investigate.

Response 5: The comment was reviewed by the commission and no amendment was determined to be necessary. Judiciary Law 499-a authorizes the CPC to examine whether a prosecutor has committed conduct in the course of his or her official duties or under color of state law potentially violative of statutes, the legal rights of private persons, whether statutory, constitutional or otherwise; case law; or court rules, including, but not limited to the New York Rules of Professional Conduct, 22 NYCRR 1200, or any subset thereof or successor thereto, including but not limited to Rule 3.8 (Special Responsibilities of Prosecutors and Other Government Lawyers). Any conduct that falls within this authorization will be examined.

Comment 6: A commentor requested the Commission to reconsider a prior request to investigate instances where there may be office-wide policies that are inconsistent with the Rules of Professional Responsibility.

Response 6: The comment was reviewed by the commission and no amendment was determined to be necessary. Judiciary Law 499-a

authorizes the CPC to examine whether a prosecutor has committed conduct in the course of his or her official duties or under color of state law potentially violative of statutes, the legal rights of private persons, whether statutory, constitutional or otherwise; case law; or court rules, including, but not limited to the New York Rules of Professional Conduct, 22 NYCRR 1200, or any subset thereof or successor thereto, including but not limited to Rule 3.8 (Special Responsibilities of Prosecutors and Other Government Lawyers). Any conduct that falls within this authorization will be examined.

Comment 7: A commentor requested the Commission to require complaints include both detailed factual allegations and specificity regarding the provisions of the law that the respondent prosecutor purportedly violated, and for the Administrator's complaint set forth the rule of law or procedure, or case, or other standard that the respondent prosecutor is alleged to have transgressed.

Response 7: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents.

Comment 8: A commentor requested another change to the amount of time a respondent prosecutor is given to answer a formal complaint. Specifically, they request that the rules be amended to either lengthen the time to answer a complaint or to provide that the Commission will retrospectively consider a late filed motion to enlarge the time to answer.

Response 8: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents.

Comment 9: A commentor requested the burden of proof for hearings be clear and convincing evidence instead of preponderance of the evidence.

Response 9: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 10: A commentor requested that the Commission reconsider its determination regarding verification and that complainants need not have personal knowledge or relevant information about their complaints.

Response 10: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents. Judiciary Law 499-f does not require that complaints be verified; likewise, there is no prohibition on an organization or citizen filing a complaint based on a judicial opinion or incident learned about in the news.

Comment 11: A commentor requested that a prosecutor be notified of any disposition of a complaint, including dismissal, before or after a hearing is ordered.

Response 11: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents.

Comment 12: A commentor requested that a respondent prosecutor be permitted to respond to the allegations of a complaint with a statement that essential records are unavailable or with the ability to assert a Fifth Amendment privilege, and for a rule requiring the Commission to draw an inference favorable to the respondent prosecutor when essential records are unavailable.

Response 12: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 13: A commentor stated that the rules, as now written, do not account for situations where a prosecution agency may have a legitimate reason to prevent disclosure of information, such as in situations involving ongoing, sensitive investigations. The commentor requested that that a respondent prosecutor be permitted to respond to the allegations of a complaint with a statement that essential records are unavailable or with the ability to assert a Fifth Amendment privilege and argued for a rule requiring the Commission to draw an inference favorable to the respondent prosecutor when essential records are unavailable.

Response 13: The comment was reviewed by the commission and no amendment was determined to be necessary. Pursuant to Judiciary Law 499-d(1), a prosecutor may notify the Commission that its investigation will interfere with an ongoing criminal investigation and the Commission shall only exercise its powers in a way that will not interfere with an agency's active investigation or prosecution.

Comment 14: A commentor requested that Commission proceedings be deferred until completion of any related criminal investigation, and that all relevant prosecution agencies be notified of any Commission action.

Response 14: The comment was reviewed by the commission and no amendment was determined to be necessary. Ongoing criminal investigations are addressed in the statute.

Comment 15: A commentor requested that if a complaint is dismissed, the notification should include whether it was dismissed without an investigation, the number of commission members who made such a determination, their identities, and the names of the commission members who recused themselves. The commentor also requested that the complain-

ant be permitted to file a request for reconsideration by the full commission within 30 days of the notification.

Response 15: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents.

Comment 16: A commentator requested that the Commission add: "Complaint which lacks merit on its face is a complaint which, even assuming the truth of its allegations, does not state a basis for complaint relating to the 'conduct or performance of official duties of any prosecutor,' as Judiciary Law Sec. 499-f requires."

Response 16: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 17: A commentator previously requested the rule for 'initial review and inquiry' and recommending investigations be amended to: "The commission staff shall engage in an initial review and inquiry of the complaint, and based thereon, provide a recommendation to the commission as to whether the complaint is facially-meritorious." The commentator also requested that the rule related to the commission's authorization of a complaint be changed to: "Upon receipt of a recommendation from commission staff as to whether a complaint is facially meritorious, the commission shall (1) authorize an investigation of the complaint; or (2) dismiss the complaint upon determining that it lacks merit on its face." In the current public comment period, the commentator asked for additional explanation for why this comment was rejected.

Response 17: The comment was reviewed by the commission and no amendment was determined to be necessary. The commission will authorize an investigation after an initial review and inquiry.

Comment 18: Based on a previous comment the Commission revised the rules to add 'shall' to 10400.2(c) to make clear that the staff will provide a recommendation, and the Commissioners will decide whether to authorize an investigation. The new language is: "The commission staff may engage in an initial review and inquiry of the complaint and shall provide a recommendation to the commission about the disposition of a complaint." The commentator replied, "The addition of 'shall' does nothing to ensure the Commission's fidelity or that of staff to the mandate of Judiciary Law § 499-f(1)."

Response 18: The comment was reviewed by the commission and no amendment was determined to be necessary.

Comment 19: A commentator requested that 'lacks merit' be defined and commented

that 10400.2(d) uses 'lacks merit' instead of 'lacks merit on its face.'

Response 19: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents.

Comment 20: A commentator requested the definition of 'investigation' be amended to: "Investigation is only initiated at the direction of the commission and shall mean the collection and analysis of relevant evidence – starting with requiring a written response to the complaint from the complained-against prosecutor and furnishing it to the complainant for reply, and thereafter, as needed, testimony under oath or affirmation, and obtaining documents, including by subpoena."

Response 20: The comment was reviewed by the commission and no amendment was determined to be necessary. The rules provide the prosecutor with an opportunity to submit information at the investigation stage.

Comment 21: A commentator previously requested a rule about how three-member panels will

be configured and the Commission responded that additional information will be provided in guidance document. The commentator responded, "These rules are supposed to be the 'guidance documents' referred to in the CPC's previous response."

Response 21: The comment was reviewed by the commission and no amendment was determined to be necessary. Additional information will be provided in guidance documents. Department of State defines "guidance documents" as "any guideline, memorandum or similar document prepared by an agency that provides general information or guidance to assist regulated parties in complying with any state, rule or other legal requirement, but shall not include documents that concern only the internal management of the agency."

Comment 22: Several commentators requested that the Commission define "prosecutor" to include former prosecutors.

Response 22: The comment was reviewed by the commission and no amendment was determined to be necessary.

## Public Service Commission

### PROPOSED RULE MAKING HEARING(S) SCHEDULED

#### Siting, Design, Construction and Operation of Major Renewable Generation and Major Electric Transmission Facilities

I.D. No. PSC-51-24-00004-P

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

**Proposed Action:** Repeal of Part 1100; addition of new Parts 1100, 1101 and 1102 to Title 16 NYCRR.

**Statutory authority:** Public Service Law, sections 3-c, 138, 139 and 145

**Subject:** Siting, design, construction and operation of major renewable generation and major electric transmission facilities.

**Purpose:** To establish procedural rules and uniform standards and conditions for renewable generation and electric transmission facilities.

**Public hearing(s) will be held at:** 1:00 and 5:00 p.m., Feb. 18, 2025 at Hudson Valley Community College, Bulmer Telecommunications Center, 80 Vandenberg Ave., Troy, NY; 1:00 and 6:00 p.m., Feb. 26, 2025 at Nassau County Legislature, Peter J. Schmitt, Legislative Chamber, 1550 Franklin Ave., Mineola, NY; 1:00 and 6:00 p.m., Feb. 27, 2025 at Department of Public Service, 4th Fl. Board Rm., 90 Church St., New York, NY; 1:00 and 5:00 p.m., March 4, 2025 at Frank E. Merriweather Jr. Library, 1324 Jefferson Ave., Buffalo, NY; 6:00 p.m., March 4, 2025 at Jefferson County Community College, Auditorium, 1220 Coffeen St., Watertown, NY; 1:00 and 5:00 p.m., March 4, 2025 at Arnett Community Library, 310 Arnett Blvd., Rochester, NY; Statewide (virtual) 1:00 p.m., March 11, 2025. To join electronically: visit <https://meetny.gov.webex.com/meetnygov/j.php?MTID=mc4e505f13b5202522888a828658e5d2f> and click "Join a meeting." Or log onto [meetny.gov.webex.com](https://meetny.gov.webex.com) and enter the following: Webinar Number: 2825 088 7004 Webinar Password: Mar11-1pm To join by phone only: Dial: 1-929-251-9612 Access Code: 2825 088 7004 Password: 62711017. Any person wishing to provide a public comment must register in advance of the hearing no later than 10:00 a.m. Monday, March 10, 2025. Any person who wants only to observe the hearing online must also pre-register. Any person may listen to the hearing by phone without pre-registration. To register electronically: Persons who will login to the hearing electronically must register. To register, visit <https://meetny.gov.webex.com/weblink/register/r8efd425bc6b09a7327b99a2b6bfd13a>, click on "Register," and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing. Also, 6:00 p.m., March 11, 2025. To join electronically: visit <https://meetny.gov.webex.com/meetnygov/j.php?MTID=m8bbd4cf249f180b4d4baaf2a738878a8> and click "Join a meeting." Or log onto [meetny.gov.webex.com](https://meetny.gov.webex.com) and enter the following: Webinar Number: 2829 049 7672 Webinar Password: Mar11-6pm To join by phone only: Dial: 1-929-251-9612 Access Code: 2829 049 7672 Password: 62711067. Any person wishing to provide a public comment must register in advance of the hearing no later than 10:00 a.m. Monday, March 10, 2025. Any person who wants only to observe the hearing online must also pre-register. Any person may listen to the hearing by phone without pre-registration. To register electronically: Persons who will login to the hearing electronically must register. To register, visit <https://meetny.gov.webex.com/weblink/register/r9b94175bb97e56a9ba4fbb68351558c6>, click on "Register," and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing. (RAPID Act Public Comment Hearings)\*

\*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, or in the event there are additional hearings scheduled, 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-M-0433.

**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://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=24-M-0433&CaseSearch=Search>):** The Public Service Commission (Commission) is considering additions to sections of Title 16 of the Official Compilation of Codes, Rules and Regulations of the State of New York (16 NYCRR) relating to the siting, design, construction, and operation of major renewable energy generation facilities and major electric transmission facilities.

In accordance with Article VIII of the New York State Public Service Law (PSL), the Office of Renewable Energy Siting and Electric Transmission is proposing a comprehensive set of regulations, including uniform standards and conditions (USCs) for the siting, design, construction, and operation of major renewable energy generation facilities, as defined at PSL § 137(4), and major electric transmission facilities, as defined at PSL § 137(3). These proposed rules and USCs would be adopted as Parts 1100, 1101, and 1102 of Title 16. Prior to adopting the new Parts 1100, 1101, and 1102, the proposed rule would repeal the existing Part 1100.

The new Part 1100 would be a continuation of the existing Subparts 1100-1, 1100-3 through 1100-5, 1100-7 through 1100-9, and 1100-11 through 1100-15, and contain provisions for both major renewable energy generation facilities and major electric transmission facilities related to basic procedures, including those for pre-application consultations with the Office and other State agencies; filing, service and publication of notice of an application; processing of an application, environmental management and construction plans, and post-construction compliance filings; and declaratory rulings. Part 1100, as proposed, differs from the existing Subparts as it would incorporate procedural requirements for major electric transmission facilities in addition to major renewable generation facilities.

Part 1101 would be a continuation of substantive provisions of the existing Subparts 1100-2, 1100-6, and 1100-10 for major renewable energy facilities and contains the proposed requirements for the specific analyses and support for an application for a siting permit for an renewable energy generation facility, and describes what is expected in each of the twenty-five separate exhibits covering topics such as real property, visual impacts, cultural resources, water resources and aquatic ecology, wetlands, and agricultural resources; establishes the USCs for siting, design, construction, and operation of major electric generation facilities; and sets requirements for the compliance filings to be approved by the Office prior to construction. Part 1101, as proposed, includes substantive changes from the existing Subparts with respect to requirements regarding agricultural resources, wetlands, noise impacts, and visual impacts. Part 1101, as proposed, also includes changes necessary to conform the proposed Parts 1101 and 1102.

Part 1102 would establish a comprehensive set of regulations for major electric transmission facilities and contains the proposed requirements for the specific analyses and support for an application for a siting permit for an electric transmission facility, and describes what is expected in each of the twenty-nine separate exhibits covering topics such as real property, route selection and alternatives, visual impacts, cultural resources, water resources and aquatic ecology, wetlands, public need, and electric system effects and interconnection; establishes the USCs for the siting, design, construction, and operation of major electric generation facilities; and sets requirements for the environmental management and construction plan (EM&CP) to be approved by the Office prior to construction. Exhibits and EM&CP components include information regarding, but are not limited to, design goals and specific measures to avoid, minimize, and mitigate impacts to natural or other resources.

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 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.state.ny.us/f96dir.htm>. For questions, contact:** Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: [beth.faranda@dps.ny.gov](mailto:beth.faranda@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:** Five days after the last scheduled public hearing.

#### Regulatory Impact Statement

##### Statutory Authority:

The purpose of Article VIII of the New York State Public Service Law, as outlined in Public Service Law § 136, is to consolidate the environmental review, permitting, and siting of major renewable energy facilities and major electric transmission facilities.

Public Service Law § 138(1)(a) authorizes the Office of Renewable

Energy Siting and Electric Transmission (ORES or Office) to establish and amend, subject to approval of the Public Service Commission (Commission), a set of uniform standards and conditions for the siting, design, construction, and operation of each type of major renewable energy facility subject to Article VIII review.

Public Service Law § 138(3) requires the Office, in consultation with the Department of Public Service (Department), to promulgate rules and regulations regarding all necessary requirements to implement the siting permit program as established in Article VIII for major renewable energy facilities.

Public Service Law § 139(1)(a) authorizes the Office to establish, subject to the approval of the Commission, a set of uniform standards and conditions for the siting, design, construction, and operation of major electric transmission facilities subject to Article VIII review. Section 139(1)(a) also requires the Office to hold four public hearings throughout the State for the purpose of soliciting comments on the proposed uniform standards and conditions applicable to major electric transmission facilities.

Public Service Law § 139(4) requires the Office, in consultation with the Department, to promulgate rules and regulations regarding all necessary requirements to implement the siting permit program as established in Article VIII for major electric transmission facilities.

Public Service Law §§ 138(1)(b) and 139(1)(b) provide that the uniform standards and condition established by the Office shall be designed to avoid or minimize, to the maximum extent practicable, any potential significant adverse impacts related to the siting, design, construction, and operation of major renewable energy and major electric transmission facilities. Such uniform standards and conditions shall apply to those environmental impacts the Office determines are common to each type of major renewable energy and major electric transmission facilities.

Public Service Law §§ 138(4) and 139(1)(c) provide that the uniform standards and conditions established by the Office for the siting, design, construction, and operation of major renewable energy facilities and major electric transmission facilities shall be designed to avoid, minimize, or mitigate to the maximum extent practicable, potential significant adverse impacts to land used in agricultural production with additional consideration for land within an agricultural district or land that contains mineral soil groups 1-4 as defined by the Department of Agriculture and Markets.

Public Service Law § 3-c(2)(c) provides the Office, by and through the Executive Director, with the authority to conduct hearings and dispute resolution proceedings, and to issue permits, and provides specific authority to adopt, subject to the approval of the Commission, rules, regulations, and procedures necessary to exercise such authority.

Public Service Law §§ 142(3) and 143(5) authorize local governments to submit a municipal statement of local law compliance indicating whether the proposed major renewable energy facility or major electric transmission facility is designed to be sited, constructed, and operated in compliance with applicable laws and regulations, if any, concerning the environment, or public health and safety.

Public Service Law § 145 requires that the applicant submit a fee to be deposited into a Local Agency Account. The proceeds of the Account are to be disbursed to local governments or local citizens to facilitate their participation in the review and adjudication of a permit application, and authorizes the Office to promulgate regulations specifying how the funds should be dispersed.

Public Service Law § 145(5) authorizes the Office to adopt regulations for the purpose of assessing a fee on applicants to recover the costs of reviewing applications.

##### Legislative Objectives:

New York State recently enacted the Renewable Action through Project Interconnection and Deployment (RAPID) Act (L 2024, ch 58, part O). The RAPID Act, among other things, repealed Executive Law § 94-c, which was applicable to major renewable energy facilities, and replaced it with Public Service Law Article VIII, authorizing ORES to accept applications and evaluate, issue, amend, and approve the assignment or transfer of siting permits under Article VIII for both major renewable energy facilities and major electric transmission facilities. Article VIII as amended, consolidates the environmental review, permitting, and siting of major renewable energy facilities and major electric transmission facilities as defined in Public Service Law § 137. Prior to adoption of the regulations, comments from local governments and members of the public will be solicited to assist in meeting these objectives.

The overarching legislative objective of the RAPID Act is to achieve certain targets established by the Climate Leadership and Community Protection Act (CLCPA), to accelerate the State's development of clean energy and achieve the State's goal of reaching net zero greenhouse gas emissions. CLCPA targets include: limiting statewide greenhouse gas emissions by 40% by the year 2030 and 85% by the year 2050, as measured against 1990 emissions levels; generating 70% of the State's electricity from renewable resources by 2030 and 100% by 2040; and requiring

the State's load-serving entities to procure 6 gigawatts (GW) of photovoltaic solar generation by 2025 and 3 GW of energy storage by 2030.

Specific legislative objectives include: (1) consolidating and expediting the environmental review and permitting of major renewable energy facilities and major electric utility transmission facilities; (2) developing uniform standards and conditions for the siting, design, construction, and operation of major electric transmission facilities subject to Article VIII review to expedite consideration of common siting conditions while minimizing impacts on communities and the environment; and (3) amending the uniform standards and conditions promulgated pursuant to Executive Law former § 94-c pursuant to directives in the RAPID Act related to potential significant adverse impacts to lands used in agricultural production from major renewable energy facilities and major electric transmission facilities.

#### Needs and Benefits:

The purpose of the regulations is to meet the objectives of and mandates specified under the RAPID Act by consolidating the environmental review of major renewable energy facilities and major electric transmission facilities under a single entity (i.e., ORES) to assist in timely achieving the renewable energy and greenhouse gas reduction targets required by the Climate Leadership and Community Protection Act (CLCPA). These regulations would establish uniform standards and conditions to address issues common to the siting, design, construction, and operation of major electric transmission facilities, and amend some of the uniform standards and conditions promulgated under Executive Law § 94-c (now repealed) for major renewable energy facilities. Uniform standards and conditions applicable to all projects are vital for streamlining the siting and permitting process, with site-specific conditions imposed on facilities as necessary. The regulations would also establish a pre-application process, an opportunity for municipalities and organizations or individuals to intervene in the permit proceedings, comply with specified permit-related deadlines imposed under the RAPID Act and provide an opportunity for effected-municipalities and intervenors to challenge the application of uniform standards and conditions.

The purpose of the pre-application process is to, among other things, ensure that the applicant considers appropriate alternative routes associated with the transmission lines subject to the permit application, conducts the natural and cultural resource studies and delineations needed to inform the application, and engages with the affected municipalities early in the project development process regarding a proposed facility's compliance with local laws and regulations. ORES has used a similar pre-application process in the context of reviewing permit applications for the siting of major renewable energy facilities under Executive Law § 94-c (now repealed) and finds that it results in more thorough permit applications being submitted for approval, creates more transparency regarding potential project impacts, provides municipalities and others with intervenor funding at an earlier point in the permitting process to enable them to participate in the process in substantive manner, and allows for compliance with the deadlines established under the RAPID Act.

#### Costs: Costs to Private Regulated Parties:

No direct costs are associated with the proposed regulations beyond those incurred under the current Article VII process and the former Executive Law § 94-c process. The requirement to avoid, minimize, and mitigate environmental impacts remains the same. Section 145(1) requires that for both major renewable energy facilities and major electric transmission facilities, the applicant submit a fee to serve as a Local Agency Account available to local government or local citizens to participate in the review and adjudication of a permit application, and authorizes the Office to promulgate regulations specifying how the funds should be dispersed. Section 145(5) authorizes the Office to adopt regulations for the purpose of assessing a fee on applicants to recover the costs of reviewing applications. In regulation, the application fee will track the statutorily-authorized local agency account fee.

#### Costs to Local Government:

The costs associated with the preparation of a municipal statement of local law compliance and any additional local government participation in the application review, public comment periods, and hearings conducted on an application may be reimbursed upon request by the funds the applicant deposited into the Local Agency Account in accordance with Public Service Law § 145(1).

Costs to the Public Service Commission or the Department of Public Service:

There are no anticipated added costs to the Commission or Department.

Costs to Other State Agencies:

There are no known or identifiable costs to other State agencies or offices of State government.

#### Local Government Mandates:

No programs, services, duties, or responsibilities will be imposed on local governments beyond what is required under the current processes. Host communities are required to submit a municipal statement as to the proposed facility's compliance with local laws and regulations.

#### Paperwork:

There is no expectation for a significant amount of additional paperwork for the Office, the industry, State agencies, or local governments beyond what is already required by the existing Article VII process and the former Executive Law § 94-c process.

#### Duplication:

There are no relevant federal regulations that duplicate, overlap, or conflict with the proposed regulations.

#### Alternatives:

The regulations are statutorily mandated, thus no significant alternatives to their promulgation were considered.

#### Federal Standards:

There are no federal regulations that specifically apply, but to the extent that such facilities trigger the need for a federally delegated permit, Public Service Law § 144(2) indicates that such permits would be issued by the New York State Department of Environmental Conservation as the permitting agency for permits issued pursuant to federally delegated or federally approved programs. To the extent that a proposed facility requires a water quality certification pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341), this process will not differ from the former § 94-c process. The regulations provide the regulated community with a process to obtain the certification from the Office.

#### Compliance Schedule:

Establishing these regulations will expedite the review and approval processes and facilitate future compliance for major renewable energy facilities and major electric transmission facilities. The time frames imposed by the existing Article VII process for existing major electric transmission facility applications will remain in place. Once these regulations become effective, any new major electric transmission facility application will be required to comply with the proposed rule. Applicants for existing Public Service Law Article VII applications have the option to continue in the existing Article VII process, or to become subject to Article VIII by filing an Article VIII application. The process for major renewable energy facility applications under the proposed regulations is the same as under the former § 94-c process. The regulations will become effective upon publication of the Notice of Adoption in the State Register.

#### Regulatory Flexibility Analysis

##### Effect of rule:

Local governments are anticipated to be positively impacted by the promulgation of the proposed regulations, including a set of proposed uniform standards and conditions (USCs), regarding the siting, design, construction, and operation of major electric transmission facilities within their jurisdiction, because the intent and purpose of the USCs and regulations is to avoid, minimize, and mitigate, to the maximum extent practicable, the potential significant adverse environmental impacts common to such facilities. Small businesses are not anticipated to be siting permit recipients and as such are not anticipated to be impacted by the regulations.

##### Compliance requirements:

Host communities are required to submit a statement as to the proposed facility's compliance with local laws. As discussed below, the costs associated with the preparation of such statement may be reimbursed by the applicant funds deposited in the Local Agency Account in accordance with Public Service Law § 145(1). Accordingly, local governments are not expected to incur significant costs associated with their compliance with the regulations or their participation in the permitting process. No other new compliance requirements will be imposed on local governments or small businesses because the proposed regulations, including the uniform standards and conditions, will be applicable to siting permit recipients.

##### Professional services:

The regulations will not require local governments to obtain any professional services and, as noted below, if they choose to retain such services to assist in their participation in the permitting process, such costs could be reimbursed from the Local Agency Account. The uniform standards and conditions will not require local governments to obtain any professional services because the USCs will only be applicable to siting permit recipients. Small businesses will not be required to procure any professional services as a result of the USCs or regulations.

##### Compliance costs:

Any costs associated with compliance with the regulations, as well as any additional voluntary local government participation, may be reimbursed by the applicant funds deposited in the Local Agency Account in accordance with § 145(1) of the Public Service Law. Accordingly, no significant costs are expected to be imposed on local governments for their participation in the permitting process. No costs are expected to be imposed on small businesses because the regulations will only be applicable to siting permit recipients.

##### Economic and technological feasibility:

As the costs incurred by local governments could be reimbursed through the Local Agency Account in accordance with § 145(1) of the Public Service Law, and compliance does not require any specialized resources not

already available, compliance will be economically and technically feasible. No costs or technological requirements will be imposed on small businesses.

**Minimizing adverse impact:**

The regulations minimize potential economic impacts on local governments by requiring applicants to notify and consult with potentially impacted communities prior to filing an application and enabling local governments to participate in the review process and to apply for reimbursement of costs incurred by such participation through the Local Agency Account Fund established in accordance with Public Service Law § 145(1). The regulation will not have an adverse economic impact on small businesses because the uniform standard and conditions and new siting and permitting requirements will only be applicable to siting permit recipients.

**Small business and local government participation:**

Prior to adopting the uniform standards and conditions and regulations, the Office of Renewable Energy Siting and Electric Transmission will hold several public comment hearings regarding the regulations and the uniform standards and conditions in different regions of the State to solicit comments from small business owners, municipalities, and the public, in accordance with New York State Public Service Law § 139(1)(a). Small businesses and local governments may also participate by submitting comments for any siting permit application before the Office during the public comment period for such application.

**Rural Area Flexibility Analysis**

**Types and estimated numbers of rural areas:**

The proposed regulations, including the uniform standards and conditions, will apply statewide, including all 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less. Siting permit recipients may reside in rural areas of the State as well. Public and private sector interests in rural areas are not expected to be impacted any differently than public and private sector interests in suburban and metropolitan areas of the State.

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

Public Service Law § 142(3) and 143(5) require local governments to submit a municipal statement of local law compliance as to the proposed facility's compliance with local laws. The costs associated with such a statement may be reimbursed by applicant funds deposited in the Local Agency Account in accordance with Public Service Law § 145(1). Accordingly, rural local governments are not expected to incur significant costs associated with their compliance with the regulations or their participation in the siting permit process. The uniform standards and conditions only apply to recipients of siting permits, and, as such, they do not impose reporting, recordkeeping, or compliance requirements on, or require additional professional services from, local governments throughout the State.

**Costs:**

As noted above, costs incurred by rural governments associated with the preparation of the statement of local law compliance may be eligible for reimbursement through the Local Agency Account fund. Costs associated with voluntary participation in public comment periods and any adjudicatory hearings held on a siting permit application would similarly be eligible for such reimbursement. Rural areas will not incur costs in relation to the adoption of the uniform standards and conditions because they are only applicable to siting permit recipients. Rural area costs are not expected to vary from costs in suburban and metropolitan areas.

**Minimizing adverse impact:**

Rural areas are anticipated to be positively impacted by the promulgation of the proposed regulations, including the uniform standards and conditions. The proposed regulations, including the uniform standards and conditions, are designed to avoid, minimize, and mitigate, to the maximum extent practicable, the potential significant adverse environmental impacts that could commonly result from the construction, operation, and maintenance of major electric transmission facilities subject to Public Service Law Article VIII. In addition, the regulatory procedures applicable to siting permit applications before the Office of Renewable Energy Siting and Electric Transmission encourage all local governments and residents to participate in the siting permit review process.

**Rural area participation:**

Upon publication of the Notice of Proposed Rulemaking, the Office will notify public and private interests in rural areas. Opportunity for rural area participation in the rulemaking process will be available during the public comment period for the proposed regulations, including the uniform standards and conditions. Prior to adoption, the Office will hold several public hearings on the proposed regulations, including the uniform standards and conditions, in different regions of the State to solicit further comment from municipalities and the public, in accordance with Public Service Law § 139(1)(a). Rural governments may also participate by submitting comments during the public comment period for any siting permit application before the Office.

**Job Impact Statement**

**Nature of impact:**

The proposed regulations, including the uniform standards and conditions, are part of a broader regulatory program that will establish an expedited process for the siting and permitting of major electric transmission facilities subject to Public Service Law Article VIII. The proposed regulations, including the uniform standards and conditions, are anticipated to create new employment opportunities for residents of the State, including opportunities related to the construction, maintenance, and operation of approved facilities and will not have a substantial adverse impact on jobs and employment opportunities.

**Categories and numbers affected:**

No adverse impacts on jobs or employment opportunities are expected.

**Regions of adverse impact:**

No adverse impacts on jobs or employment opportunities are expected.

**Minimizing adverse impact:**

No adverse impacts on jobs or employment opportunities are expected.

The proposed regulations and uniform standards and conditions are likely to create new opportunities in relation to construction, maintenance, and operation of major electric transmission facilities.

(24-M-0433SP1)



**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
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> <p>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 <a href="mailto:derweb@dec.ny.gov">derweb@dec.ny.gov</a>, 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.</p>
ENV-43-24-00014-P .....	Endangered and Threatened Species Mitiga-	

tion Bank Fund

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](mailto: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

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

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/r64c79b5aec18aee685330b2815feeb79>

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 21st 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.

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](mailto:language@dec.ny.gov)), or phone (518) 402-8028

**Labor, Department of**

LAB-50-24-00002-P ..... Worker Walkaround Representative Designation Process

Department of Labor, Albany, NY—February 12, 2025, 10:00 a.m.

**Long Island Power Authority**

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.

**Public Service Commission**

PSC-42-24-00006-P .....	Proposed Major Rate Increase in Electric Delivery Revenues	Long Island Power Authority, Uniondale, NY—January 6, 2025, 6:00 p.m.
		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 ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) 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 ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) 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 ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 24-G-0447.
PSC-51-24-00004-P .....	Siting, Design, Construction and Operation of Major Renewable Generation and Major Electric Transmission Facilities	Capital Region, Hudson Valley Community College, Bulmer Telecommunications Center, 80 Vandenberg Ave., Troy, NY—February 18, 2025, 1:00 p.m. and 5:00 p.m. (RAPID Act Public Comment Hearings)*
		Long Island, Nassau County Legislature, Peter J. Schmitt Legislative Chamber, 1550 Franklin Ave., Mineola, NY—February 26, 2025, 1:00 p.m. and 6:00 p.m. (RAPID Act Public Comment Hearings)*
		New York City, Department of Public Service, 4th Fl. Board Rm., 90 Church St., New York, NY—February 27, 2025, 1:00 p.m. and 6:00 p.m. (RAPID Act Public Comment Hearings)*
		Western NY, Frank E. Merriweather Jr. Library, 1324 Jefferson Ave., Buffalo, NY—March 4, 2025 1:00 p.m. and 5:00 p.m. (RAPID Act Public Comment Hearings)*
		North Country, Jefferson County Community College, Auditorium, 1220 Coffeen St., Watertown, NY—March 4, 2025, 6:00 p.m. (RAPID Act Public Comment Hearings)*
		Finger Lakes, Arnett Community Library, 310 Arnett Blvd., Rochester, NY—March 5, 2025, 1 p.m. and 5:00 p.m. (RAPID Act Public Comment Hearings)*
		Statewide (Virtual), March 11, 2025, 1 p.m. (RAPID Act Public Comment Hearings)*

To join electronically: visit <https://meetny-gov.webex.com/meetny-gov/j.php?MTID=mc4e505f13b5202522888a828658e5d2f> and click “Join a meeting.” Or log onto [meetny-gov.webex.com](https://meetny-gov.webex.com) and enter the following: Webinar Number: 2825 088 7004 Webinar Password: Mar11-1pm To join by phone only: Dial: 1-929-251-9612 Access Code: 2825 088 7004 Password: 62711017 Any person wishing to provide a public comment must register in advance of the hearing no later than 10:00 a.m. Monday, March 10, 2025. Any person who wants only to observe the hearing online must also pre-register. Any person may listen to the hearing by phone without pre-registration. To register electronically: Persons who will login to the hearing electronically must register. To register, visit <https://meetny-gov.webex.com/weblink/register/r8efd425bc6b09a7327b99a2b6bfd13a>, click on “Register,” and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

Statewide (Virtual)—March 11, 2025, 6 p.m. (RAPID Act Public Comment Hearings)\*

To join electronically: visit <https://meetny-gov.webex.com/meetny-gov/j.php?MTID=m8bbd4cf249f180b4d4baaf2a738878a8> and click “Join a meeting.” Or log onto [meetny-gov.webex.com](https://meetny-gov.webex.com) and enter the following: Webinar Number: 2829 049 7672 Webinar Password: Mar11-6pm To join by phone only: Dial: 1-929-251-9612 Access Code: 2829 049 7672 Password: 62711067 Any person wishing to provide a public comment must register in advance of the hearing no later than 10:00 a.m. Monday, March 10, 2025. Any person who wants only to observe the hearing online must also pre-register. Any person may listen to the hearing by phone without pre-registration. To register electronically: Persons who will login to the hearing electronically must register. To register, visit <https://meetny-gov.webex.com/weblink/register/r9b94175bb97e56a9ba4fbb68351558c6>, click on “Register,” and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing. \*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, or in the event there are additional hearings scheduled, 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-M-0433.



**ACTION PENDING INDEX**

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>0001</b>	<b>P</b>

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

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

AAM-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
AAM-51-24-00002-P	..... 12/18/25	Petroleum Products	To remove obsolete standards, and incorporate by reference the most recent versions of the CFR, ASTM and API standards.

**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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CANNABIS MANAGEMENT, OFFICE OF</b>			
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
<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



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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-49-24-00002-P	12/04/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-49-24-00003-P	12/04/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-24-00004-P	12/04/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-24-00005-P	12/04/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-24-00006-P	12/04/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-24-00007-P	12/04/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-49-24-00008-P	12/04/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-49-24-00009-P	12/04/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-24-00010-P	12/04/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-24-00011-P	12/04/25	Jurisdictional Classification	To classify positions in the non-competitive class
<b>COMMISSIONER OF PILOTS, BOARD OF</b>			
COP-43-24-00002-P	exempt	Adjusting rates to address market conditions.	The regulation will provide consistent pricing across the current fee structure
<b>CORRECTION, STATE COMMISSION OF</b>			
CMC-49-24-00001-P	12/04/25	Jail staffing requirements.	To provide county governments and the City of New York an increased role and flexibility in determining officer staffing levels.
<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	To clarify that parents of students who are parentally-placed in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding the implementation of services recommended on an IESP
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-34-24-00001-EP	08/21/25	Special education due process hearings	To clarify that parents of students who are in nonpublic schools do not have the right under Education Law § 3602-c to file a due process complaint regarding whether a provider's rate is consistent with the student's IESP or the market rate for services
EDU-39-24-00006-EP	09/25/25	Development and implementation of regionalization plans	The development of regionalization plans by component districts in collaboration with BOCES superintendents in order to best utilize educational resources
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
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
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-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
DFS-49-24-00014-P	12/04/25	MINIMUM STANDARDS FOR THE FORM, CONTENT AND SALE OF HEALTH INSURANCE, INCLUDING STANDARDS OF FULL AND FAIR DISCLOSURE	To identify disparities in quality and utilization of care experienced by underrepresented populations
DFS-50-24-00003-P	12/11/25	Statement of Actuarial Opinion and Actuarial Opinion Summary for Property/Casualty Insurers	To revise reference to the 2016 NAIC property/casualty annual statement instructions to the current 2024 edition.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-51-24-00003-P	12/18/25	Unfair Claims Settlement Practices and Claim Cost Control Measures	To clarify or amend provisions re: right-of-recourse, total loss efficacy review, and valuation manual titles.
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-51-24-00001-P	12/18/25	Mobile sports wagering data collection.	To facilitate data collection on demographics and usage across all mobile sports wagering platforms.
<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-RP	04/09/25	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>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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LABOR, DEPARTMENT OF</b>			
LAB-50-24-00002-P	02/12/26	Worker Walkaround Representative Designation Process.	To adopt updates to OSHA regulations, as required by law, regarding employee representation during a workplace inspection.
<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	To update the small generator interconnection procedures consistent with Public Service Commission guidance
*LPA-46-23-00011-P	exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
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-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
<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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>NIAGARA FALLS WATER BOARD</b>			
*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>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



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

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

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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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

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

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

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



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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*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

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

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

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

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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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 met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place



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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-25-23-00009-P	..... exempt	Community Choice Aggregation	To determine if Local Power LLC shall operate as a Community Choice Aggregation Administrator
*PSC-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement	To consider whether amending the SIC mechanism is in the public interest
*PSC-27-23-00006-P	..... exempt	A proposed methodology for annual greenhouse gas emissions inventory reporting	To consider whether the proposed Green House Gas Inventory Report will provide sufficient emissions information
*PSC-27-23-00013-P	..... exempt	The proposed Greenhouse Gas Emissions Reduction Pathways Study	To consider whether the proposed Study is sufficient and whether to proceed with the Study
*PSC-27-23-00015-P	..... exempt	The Tier 4 renewable energy certificate purchase and sale agreement modifications	To consider modification to the existing Tier 4 renewable energy certificate purchase and sale agreement
*PSC-29-23-00007-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
*PSC-31-23-00001-P	..... exempt	A petition for a special permit exemption from odorization requirements	To determine if the granting of the special permit is in the public interest
*PSC-34-23-00008-P	..... exempt	Proposed transfer of capital stock	To determine if the transfer of capital stock is in the public interest
*PSC-35-23-00007-P	..... exempt	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the Central Hudson service territory
*PSC-35-23-00011-P	..... exempt	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the National Grid service territory
*PSC-35-23-00015-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



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<b>PUBLIC SERVICE COMMISSION</b>			
*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-47-23-00003-P	..... exempt	The prohibition on service to low-income customers by energy service companies (ESCOs)	To consider extending the waiver of the prohibition
*PSC-48-23-00005-P	..... exempt	Community Distributed Generation	To consider expanding the Net Crediting program to volumetric community distributed generation projects
*PSC-48-23-00006-P	..... exempt	The Utility Energy Registry	To consider the transition of community scale energy usage data to the Integrated Energy Data Resource
*PSC-48-23-00007-P	..... exempt	Petition to amend bill estimation procedures for AM	To have more accurate billing & reduce adjustments
PSC-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-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

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

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<b>PUBLIC SERVICE COMMISSION</b>			
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-10-24-00004-P	..... exempt	Remote electric service disconnection and reconnection charges	To ensure that charges assessed to utility customers are just and reasonable
PSC-11-24-00020-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-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-18-24-00008-P	..... exempt	Partnership for the Urban Revitalization in Western New York Program revisions	To consider and review proposed program modifications
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

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

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<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-27-24-00003-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-28-24-00023-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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-31-24-00013-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-32-24-00035-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-34-24-00004-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-34-24-00007-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-35-24-00003-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-36-24-00002-P	..... exempt	Petition to forgive arrears balances greater than 120 days and recover costs via a surcharge	To determine if forgiveness of customer arrears greater than 120 days and recovery via a surcharge is in the public interest
PSC-36-24-00003-P	..... exempt	Proposed major rate increase in National Grid's annual electric revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-36-24-00004-P	..... exempt	Proposed major rate increase in National Grid's annual gas revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-36-24-00005-P	..... exempt	Clean Energy Standard administration	To authorize the funding necessary for continued implementation of the Clean Energy Standard in 2025
PSC-36-24-00006-P	..... exempt	Proposal to modify the time limit established in the Make Ready Order	To consider an extended deadline so that NYPA may continue to use its unspent budget and build electric vehicle chargers
PSC-36-24-00007-P	..... exempt	Petition to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-36-24-00008-P	..... exempt	Waiver request of 16 NYCRR § 86.3(b)(2); 86.4(b); 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
PSC-37-24-00001-P	..... exempt	Proposed transfer of water company assets	To determine if transfer of the Company's assets is in the public interest
PSC-37-24-00003-P	..... exempt	Increased funding for energy efficiency programs	To determine whether increased funding for energy efficiency programs is in the public interest
PSC-38-24-00002-P	..... exempt	Financing for a merchant owner and operator of a wind-powered generating facility	To determine whether the requested financing is consistent with the Public Service Law
PSC-38-24-00003-P	..... exempt	Notice of intent to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place
PSC-38-24-00004-P	..... exempt	Residential and retail energy storage programs	To consider the outline of program goals and implementation strategies for the residential and retail energy storage programs
PSC-38-24-00005-P	..... exempt	To review a pilot proposal and associated budgets	To assess whether the proposed pilot program impact is in the public interest

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<b>PUBLIC SERVICE COMMISSION</b>			
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
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



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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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
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
PSC-48-24-00002-P	..... exempt	Electric metering equipment.	To consider use of electric metering equipment and ensure that consumer bills are based on accurate measurements of usage.
PSC-48-24-00003-P	..... exempt	Petition for termination of temporary operator role.	To determine if termination of a temporary operator is in the public interest.
PSC-48-24-00004-P	..... exempt	Electric metering equipment.	To consider use of electric metering equipment and ensure that consumer bills are based on accurate measurements of usage.
PSC-48-24-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-24-00006-P	..... exempt	The Westchester Power Community Choice Aggregation (CCA) Program.	To consider integration of Opt-out Community Distributed Generation into the Westchester Power CCA program.
PSC-49-24-00012-P	..... exempt	Consideration of a New York City PPTN under the NYISO’s planning process.	To determine whether the NYISO should proceed to select a solution to the identified New York City PPTN.
PSC-49-24-00013-P	..... exempt	Transfer of assets.	To ensure the transfer of utility company assets is in the general interest of the public.
PSC-50-24-00004-P	..... exempt	Proposed tariff modification that would allow the Company a quantity of Customer-owned gas as an allowance for losses.	To consider whether tariff modifications ensure safe and adequate service at just and reasonable rates without undue preference.
PSC-50-24-00005-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-51-24-00004-P	02/18/26	Siting, design, construction & operation of major renewable generation and major electric transmission facilities.	To establish procedural rules and uniform standards and conditions for renewable generation and electric transmission facilities
<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-48-24-00001-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 January 1, 2025 through March 31, 2025.
<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	Authorization periods for Family Assistance and Safety Net Assistance in public assistance cases & cases where a non-legally responsible caregiver is caring for children for whom the non-legally responsible caregiver is applying for or receiving assistance	To establish a 12-month authorization period for all FA and SNA cases and a standard 24-month authorization period for all cases where a non-legally responsible caregiver is caring for children for whom they are applying for or receiving assistance
TDA-45-24-00002-P	11/06/25	Good cause adjournment of fair hearings concerning the Supplemental Nutrition Assistance Program (SNAP)	To conform with 7 CFR § 273.15(c)(4) relative to good cause adjournments of fair hearings concerning SNAP and reflect current OTDA policy and procedure regarding such adjournments; and replace references to food stamps with updated SNAP references
TDA-45-24-00006-P	11/06/25	Update to State regulations to include the term “administrative law judge” in the definition of “hearing officer” so it is clear that the terms may be used interchangeably	To update State regulations to provide that the term “hearing officer” may be used interchangeably with the term “administrative law judge”

**Action Pending Index****NYS Register/December 18, 2024**

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<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>TRANSPORTATION, DEPARTMENT OF</b>			
TRN-50-24-00001-P	..... 12/11/25	Transportation Regulations	To update the administrative proceedings and various motor carrier safety subjects.
<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

# RULE REVIEW

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## Department of State

Pursuant to section 207(4) of the State Administrative Procedure Act, notice is hereby provided that no public comments have been received on the following pertinent rules that the New York State Department of State adopted in 2021, 2019, 2014, 2009, 2004 and 1999, and continued without modification in 2024.

### RULES ADOPTED IN 2021

**DOS-48-20-00010** Procedures and Requirements Related to the Filing of Certificates

Sections 150.1, 154.3, 154.4, 154.5(a), (c), (d), and 156.3(d) were amended; and section 150.8 was added to Title 19 of NYCRR regarding procedures and requirements for certain filings.

Continuation of the rule: The rule is needed to maintain clarity regarding procedures related to the filing of certificates with the Department's Division of Corporations.

Legal basis for the rule: Executive Law, section 91

**DOS-51-20-00004** Fair Housing Requirements for Appraisers

Section 1107.2 was amended; and sections 1107.33 and 1107.34 were added to Title 19 of NYCRR in relation to Fair Housing requirements concerning appraisers and assistant appraisers.

Continuation of the rule: The rule is needed to maintain fair housing education as a condition of license renewal for real estate appraisers.

Legal basis for the rule: Executive Law, section 160-d

**DOS-05-21-00013-P** Filing, Review and Publication of Financial Reports

Part 146 was added to Title 19 of NYCRR to provide procedures related to the filing, review and publication of financial reports. (Section 146.1 was amended in 2022 to correct a technical error regarding the definition of a "Qualifying 501(c)(4) entity" for the purposes of Part 146.)

Continuation of the rule: The rule is needed to maintain procedures related to the filing, review and publication of financial reports filed with the Department of State.

Legal basis for the rule: Executive Law, sections 91, 172-e, and 172-f

**DOS-12-21-00010** NYS Uniform Fire Prevention and Building Code

Section 1219.1 was amended and Part 1228 was added to Title 19 of NYCRR to incorporate provisions applicable to rail stations. (Section 1219.1 was amended in 2022 to indicate the addition of a new Part 1229 - Other Uniform Code Provisions.)

Continuation of the rule: The rule is needed to maintain specific provisions pertaining to rail stations.

Legal basis for the rule: Executive Law, section 377

**DOS-19-21-00014** Minimum Standards for Administration and Enforcement of the Uniform Code and Energy Code

Part 1203 was repealed and a new Part 1203 was added to Title 19 of NYCRR regarding minimum standards for administration and enforcement of the Uniform Code and Energy Code.

Continuation of the rule: The rule is needed to maintain minimum standards applicable to a program for administration and enforcement of the Uniform Code and Energy Code.

Legal basis for the rule: Executive Law, sections 381 and 382

### RULES ADOPTED IN 2019

All rules permanently adopted by the Department in 2019 were adopted as consensus rules, or amended after 2019 and will be subject to review during the fifth calendar year after the year of amendment.

### RULES ADOPTED IN 2014

**DOS 36-13-00004** Pet Cemeteries Seeking to Inter the Cremated Remains of Pet Owners with the Remains of their Pets

Section 201.19 was added to Title 19 of NYCRR regarding pet cemeteries.

Continuation of the rule: The rule is needed to permit pet cemeteries to inter the cremated remains of pet owners with the remains of their pets.

Legal basis for the rule: Executive Law, section 91; General Business Law, section 750-d; and Not-for-Profit Corporation Law, section 1504(c)

**DOS-10-14-00004** Record Retention Requirements for Real Estate Brokers

Section 175.23 of Title 19 of NYCRR was amended to update regulations regarding record retention requirements for brokers.

Continuation of the rule: The rule is needed to maintain regulations requiring real estate brokers to retain certain business records.

Legal basis for the rule: Real Property Law, section 442-k(1)

**DOS-41-14-00020** Appraiser Certification and License Update Requirements

Sections 1103.6(b), (e), (g); 1103.10(b); and 1107.12 were amended; and section 1107.4(a)(1) was added to Title 19 of NYCRR concerning real estate appraiser certification.

Continuation of the rule: The rule is needed to conform certain appraiser qualifications to federal standards, including: section 1103.6 Residential Course Outlines, regarding subdivisions (b) - R-6/Basic Appraisal Procedures, (e) - R-9/Residential Sales Comparison and Income Approaches, and (g) - R-11/Advanced Residential Applications and Case Studies; section 1103.10 General Course Outlines regarding subdivision (b) - G-5/General Appraiser Sales Comparison Approach; section 1107.12 Basic Course of Study Requirements; and section 1107.4(a)(1) Equivalency, regarding the process for requesting Department consideration of courses completed outside of the State.

Legal basis for the rule: Executive Law, sections 160-d and Article 6-E

**DOS-41-14-00021** Appraiser Certification and License Update Requirements

Sections 1103.4(b)(1), (c); and 1104.1(b)(1) of Title of 19 NYCRR were amended in relation to real estate appraiser qualification requirements.

Continuation of the rule: The rule is needed to conform appraiser qualifications to federal standards and to remove unnecessary require-

ments, including: section 1103.4 Instructors and Supervising Appraisers, regarding subdivision (b)(1) Supervising Appraiser Qualifications, and subdivision (c) Ineligibility, regarding certain prior certification revocations, suspensions or disciplinary actions affecting a supervisory appraiser's legal eligibility to engage in appraisal practice that preclude an individual from receiving instructor approval from the Department or being eligible to supervise appraiser assistants; and section 1104.1 Certification and Licensing by Reciprocity, subdivision (b)(1).

Legal basis for the rule: Executive Law, sections 160-d and Article 6-E

#### RULES ADOPTED IN 2009

DOS-44-88-00001 Qualifying School Requirements for Bail Enforcement

Part 171 was added to Title 19 of NYCRR to set forth requirements for schools providing qualifying education to prospective bail enforcement agents.

Continuation of the rule: The rule is needed: to satisfy the legislative intent of Article 7 of the General Business Law, to set forth procedures and requirements for education providers to obtain Department approval in order to offer a qualifying course, and to protect the public by ensuring that State-licensed bail enforcement agents have obtained proper education.

Legal basis for the rule: General Business Law, section 72

DOS-16-09-00004 Continuing Education for Licensed Home Inspectors

Subpart 197-3 was added to Title 19 of NYCRR to establish continuing education standards for licensed home inspectors.

Continuation of the rule: The rule is needed to satisfy section 444-f (1) of the Real Property Law, which requires home inspectors seeking renewal of their licenses to have successfully completed an approved course of continuing education. The rule also protects the public by requiring all licensed home inspectors to complete an appropriate amount of continuing education.

Legal basis for the rule: Real Property Law, section 444-f

#### RULES ADOPTED IN 2004

All rules permanently adopted by the Department in 2004 were adopted as consensus rules, or amended after 2004 and will be subject to review during the fifth calendar year after the year of amendment.

#### RULES ADOPTED IN 1999

DOS-28-99-00001 Experience Credit for Mass Appraisals

Section 1102.6 was repealed and section 1102.7 of Title 19 of NYCRR was added to recognize and allow mass appraisal credit for the purposes of licensing and certification.

Continuation of the rule: The rule is needed to allow mass appraisals to be used as qualifying experience, and to establish criteria for granting credit for mass appraisal experience for real estate appraisal licensing and certification purposes under Article 6-E of the Executive Law.

Legal basis for the rule: Executive Law, section 160-d(1)(a)

DOS-51-98-00001 Licensing of Armored Car Carriers

Part 185 was added to Title 19 of NYCRR to prescribe requirements for armored car carriers to retain business records and to fulfill fingerprinting responsibilities. The rule also required carriers to notify the Department of name changes, employment of guards and termination of guards.

Continuation of the rule: The rule is needed: to facilitate applicant and licensee compliance with statutory duties related to operating New York State licensed armored car carriers, as required by section 89-ccc of the General Business Law; and to reduce the likelihood of confusion over statutory language regarding requirements of armored car carriers.

Legal basis for the rule: General Business Law, section 89-lll

DOS-51-98-00002 Registration of Armored Car Guards

Part 186 was added to Title 19 of NYCRR to prescribe requirements for armored car guards concerning fingerprinting, registering on a staggered schedule, and displaying of State-issued registration cards.

Continuation of the rule: The rule is needed to clarify procedures for fingerprinting of armored car guards and prescribing a staggered schedule of registration, as required by section 89-uuu of the General Business Law. The rule also helps ensure that identification cards of armored car guards are visible to the public.

Legal basis for the rule: General Business Law, section 89-yyy

DOS-52-98-00002 Qualifying Experience Requirements for Certified Real Estate Appraisers

Sections 1102.1 – 1102.5 of Title 19 of NYCRR was amended to conform New York's qualifying experience standards to those adopted by the Appraisal Qualification Board of the Appraisal Foundation. (Sections 1102.2, 1102.3 and 1102.4 were amended in 2019, 2017 and 2015, respectively; and section 1102.5 was repealed in 2002.)

Continuation of the rule: The rule is needed to ensure that the Appraisal Subcommittee of the Federal Financial Institutions Examination Council will not withdraw its recognition of New York's program for certifying real estate appraisers. Such withdrawal would make this State's certified general real estate appraisers ineligible to perform appraisals for federal-related real estate transactions, which would result in New York financial institutions being precluded from participating in transactions where federal law requires the use of a State-certified appraiser. Maintaining this rule: helps ensure the continued recognition of New York's licensing and certification program for real estate appraisers; and prevents both a disruption in New York's real estate financing markets and a loss of employment opportunities for New York's licensed (and certified) real estate appraisers.

Legal basis for the rule: Executive Law, section 160-d(1)(a)

# GUIDANCE DOCUMENTS

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Not less than once each year, every agency shall submit to the Secretary of State for publication in the *State Register* a list of all Guidance Documents on which the agency currently relies [SAPA, section 202-e(1)]. However, an agency may be exempted from compliance with the requirements of SAPA section 202-e(1) if the agency has published on its website the full text of all Guidance Documents on which it currently relies [SAPA, section 202-e(2)].

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## Department of Taxation and Finance

The Department of Taxation and Finance has published the full text of all guidance documents on which said agency currently relies on at the following website: <http://www.tax.ny.gov>





# NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Housing Trust Fund Corporation  
Homes and Community Renewal  
641 Lexington Ave.  
New York, NY 10022

## NON-PROFIT HOUSING ORGANIZATIONS AND MUNICIPAL OR COUNTY GOVERNMENTS

### Plus One ADU Program

#### Purpose

The Housing Trust Fund Corporation (“HTFC”) as part of New York State Homes and Community Renewal (“HCR”) invites eligible applicants to apply to administer the Plus One ADU Program, an initiative to create and improve Accessory Dwelling Units (ADUs). This NOFA describes the purpose for which the available funds are to be used and the methodology for disbursing those funds.

Through this NOFA, HTFC plans to make up to twenty-five million dollars (\$25,000,000) available for the administration of the Plus One ADU Program. Eligible applicants are invited to submit applications for funding to cover grants to eligible homeowners and for the anticipated costs associated with program delivery.

Applications must be submitted via email to [NOFA\\_Applications@hcr.ny.gov](mailto:NOFA_Applications@hcr.ny.gov) no later than 3:00 PM (EST) on January 15th, 2025. The initial contract shall be for two (2) years, with the potential for an extension depending on the need and at the discretion of HCR staff.

Program changes in this NOFA from the last round of Plus One ADU funding are in *italic* and underlined.

#### Program Overview

By working with units of local government and community development partners, Plus One ADU will provide a full-service program to support low- and middle-income single-family homeowner occupants who wish to build a new ADU on their property or improve an existing ADU that needs to be brought into compliance with local and state code requirements. Depending on the property and what the locality permits, ADU’s may be small, stand-alone (detached) units on single-family lots, basement apartments, garage conversions, or other permitted units.

#### Background

The 2022-2023 NYS Capital Budget made available \$85,000,000 for the purposes of creating and upgrading accessory dwelling units across the state, as part of a five (5) year Housing Plan. To date, approximately \$60 million has been awarded in fifty (50) participating jurisdictions. Since each community’s need for ADUs are different, HTFC will select awardees with the aim of crafting community-specific programs for generating safe, quality ADUs. HCR anticipates subsequent opportunities for ADU funding.

#### Eligible Applicants

Competitive applications must include partnerships between a non-profit housing organization and a municipal or county government. Either the governmental or non-profit entity may serve in the role of the Lead Applicant and the proposal should specify which entity is the lead. A local unit of government can apply to administer the program in multiple jurisdictions if there is demonstrated proof of support from the local zoning boards or administrations, of which must be proven through letter(s) of support.

Jurisdictions participating in the current Plus One ADU program

are not eligible to apply to this round. However, current Plus One ADU non-profit program administrators (awardees) may apply for this round if their application is in partnership with a local unit of government that is not currently participating in the program, with the exception of New York City.

#### Eligible Activities

Applicants selected by HTFC to administer the Plus One ADU Program (the “Awardees”) will be expected to work with HCR staff to create a work plan, which shall include, pre-development activities, construction oversight and post construction monitoring.

##### 1. Pre-development Activities:

Awardees will identify low- and moderate-income homeowner occupants who wish to add an ADU to their property or make capital repairs to an existing ADU. In all cases, awardees will be required to cap participation of homeowners with household income of no more than one hundred percent (100%) area median income (AMI) for the County or MSA, adjusted for family size and all ADUs must be permitted by the municipality.

Awardees will establish standards for eligibility and perform assessments of potential homeowner participants to include current mortgage debt and affordability, building violation searches, documentation of good standing for any existing mortgages, and other due diligence to determine the likelihood that the homeowner participant will maintain the property in good financial and physical health.

Awardees will oversee the pre-development process including design, budgeting, permitting, environmental assessment, appraisals, and other required due diligence to secure funding from HTFC or other needed sources.

Awardees will secure the services of appropriate design professional(s). Each property must have plans and an identified scope, which complies with design standards approved by HCR staff.

Prior to the formal commitment or expenditure of funds, the environmental effects of each program activity must be assessed in accordance with the State Environmental Quality Review Act (“SE-QRA”) at 6 NYCRR Part 617.

##### 2. Construction Oversight:

Awardees will oversee all aspects of the construction process from contractor bidding and selection, compliance with MWBE utilization standards, general construction oversight and coordination between property owners and contractors, preparation of payment requests and other essential activities to ensure efficient construction for each ADU.

##### 3. Post-Construction Monitoring:

Awardees are required to enter into a Regulatory Agreement, and associated declining balance enforcement documents, with the participating homeowners for the Regulatory Period which shall not be less ten (10) years.

Compliance monitoring will include the collection of annual compliance certifications including confirmation that the ADU is being used as permanent housing rather than as a short-term rental, and site visits every two years to ensure appropriate property maintenance and quality housing standards, among other standards. The Awardee is expected to assist with the completion of the compliance documentation from homeowners as needed.

#### Eligible Costs

Applicants are required to provide a program budget in their application. Proposed budgets should take the following criteria into consideration:

- Award requests should not exceed \$2,000,000. HTFC will not consider applications with a request of over \$125,000 per unit, which must be inclusive of program delivery costs. For groups applying in New York City, the per unit cap can be requested of up to \$175,00 per unit.

- Up to ten percent (10%) of the total requested award may be budgeted for program delivery, including costs such as staff time and materials for program management, legal, accounting and auditing expenses, insurance, marketing and outreach expenses, and a compliance monitoring fee.

Funds will be paid as Awardees achieve milestones in the program delivery. Disbursement schedules will be determined by HCR staff prior to the execution of a program Agreement.

Evaluation and Selection Criteria

Applicant proposals will be examined for completeness and eligibility. Incomplete proposals and those that do not meet eligibility requirements may be rejected as ineligible. Complete proposals and those that meet eligibility requirements will be reviewed and rated. After initial scoring, supplemental information may be requested by HCR staff for tie- breaking purposes, if necessary.

In addition, eligible applications must contain a letter or resolution from the non-profit organization and from the municipal or county government in the partnership reflecting support for the proposed undertaking, and the proposed roles and responsibilities for each.

The maximum rating is 100 points.

1. Capacity and Experience: (maximum of 25 points)

- Applicant demonstrates a strong record of success in project development and managing construction/rehabilitation of single-family homes.
- Applicant demonstrates a strong record of success in providing homeownership counseling and technical assistance to low- and moderate-income homeowners, including the capacity to monitor homeowner compliance throughout the Regulatory Period.

2. Feasibility of Proposal: (maximum of 25 points)

- Applicant outlines the need for and the goals for ADUs in the subject community (legalizing existing ADUs, multi- generational housing, workforce rental housing, bolstering financial stability for low-income homeowners, etc.)
- Applicant identifies and explains the target neighborhood(s).
- Applicant demonstrates that existing zoning and other applicable building codes allow for ADUs.

Applicant demonstrates that the community has committed to facilitating a RP-421-f property tax exemption for any increase in value from the ADU improvement or creation, where applicable.

3. Cost-Effectiveness of Proposal: (maximum of 25 points)

- Applicant presents a proposed project budget that clearly enumerates expected pre- development, development, and program delivery and compliance monitoring expenses.
- Applicant demonstrates the availability of other resources to supplement the cost of creating or improving ADUs. Where affordable and feasible for target communities and homeowners, HTFC would consider the development of concepts to leverage dollars through repayable loans.
- Applicant outlines a realistic process for undertaking a cost efficient, comprehensive, and supportive process for building or improving ADUs in cooperation with homeowner participants.
- Applicant demonstrates an intention to construct new ADUs with energy efficient and electric-ready materials, in target with New York State energy goals.

4. Ability to Generate Demand: (maximum of 25 points)

- Applicant presents a marketing plan and strategy for identifying participating homeowners.
- Applicant demonstrates an existing inventory of potential homeowner participants.

Submission Guidelines:

Please include the following documents in one single PDF file. The program budget and narrative should not exceed ten (10) pages in

total and must be inclusive of the cover letter, program budget, program narrative, and letters of support.

1. Cover Letter: Legal name of the applicant organization; the Federal Identification Number (FEIN), Name of Point of Contact for the Proposal, their phone number and e-mail address, geographic region (County/Town), amount of funds requested, and the partner organization(s) for this project.

2. Program Budget and Narrative: Answer all the questions referenced in the evaluation criteria guidelines above.

3. Letter(s) of Support: Letters from the town or municipality demonstrating existing zoning codes that allow for ADU development, or willingness to adopt policies for ADU development, and overall programmatic alignment for implementing ADUs and facilitating the process of permitting and obtaining tax exemptions (if applicable).

Submit the completed application to the email address: [NOFA\\_Applications@hcr.ny.gov](mailto:NOFA_Applications@hcr.ny.gov) by the submission deadline.

Proposal Costs and Materials

Neither HTFC or HCR will be held liable for any cost incurred by the applicant for work performed in the preparation, production, or submission of a proposal in response to this NOFA. All proposal materials and information submitted as part of the application shall become the property of HTFC. No materials, curricula, media or other content will be returned to the applicant.

All completed applications will be reviewed and scored. HTFC reserves the right to:

- Communicate with an applicant for the purpose of addressing clerical and mathematical errors in applications.
- Not to issue an award or contract to any applicant if it has been determined that the applicant is not in compliance with existing contracts and has not taken satisfactory steps to remedy such non-compliance. Activities that commence prior to contract execution and environmental review will not be eligible for reimbursement.
- Award all, more than identified, a portion of, or none of the available funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, the applicant's ability to advance the State's housing goals, and HTFC's assessment of cost reasonableness. HTFC reserves the right to award all, a portion of, or none of the application's requested amount, and further reserves the right to review an application requesting funds as an application for funding under other programs for which the proposed activity is eligible, and to change or disallow aspects of the applications received.
- Waive any requirement contained in this NOFA or revise the terms or extend this NOFA as needed.
- Change or disallow aspects of the applications received and may make such changes an expressed condition of its commitment to provide funding for proposed activities. Award of funds does not confirm eligibility of all activities included in an application proposal.

Application and Award Timeline

HTFC reserves the right to modify this schedule, at its discretion. Notification of changes in connection with this NOFA will be posted and made available to all interested parties via <https://hcr.ny.gov/funding-opportunities>

Issuance of NOFA	Friday, November 15th, 2023
Deadline for Submission of Proposals	Wednesday, January 15th, at 3:00 PM (EST)
Anticipated Revised Proposal Period and Interview(s) (if applicable)	Month of February
Anticipated Preliminary Award Selection (award(s) will be contingent on HTFC Board approval, which may occur after this date)	March 2025

Award Recommendations and Board Approval

Awards are recommended based on available funding, proposal quality and project feasibility as determined by the review and rating

of an application. The evaluation and selection criteria are detailed in the NOFA. Recommendations are advanced to the appropriate HCR Board for consideration and the award must be approved by that Board prior to the execution of a grant agreement.

#### Application Status and Notification

Applicants will receive one of the notifications below in response to their application:

- **Incomplete:** Application presents potentially eligible project but provides insufficient information. Applicant will be provided an opportunity to submit additional documentation.
- **Non-Award Notification:** Application presents an incomplete, non-competitive, not viable project and will not receive an award under this NOFA.
- **Preliminary Award Notification:** Application presents a complete, eligible, competitive, and feasible project. The project has been recommended to and approved by HTFC Board of Directors for funding.

#### Program Grant Agreements

Awardees may be asked to revise parts of their proposal prior to entering into a program grant agreement. After any required revisions are submitted and approved, a final program grant agreement will be executed. The program grant agreement will require that Awardees expend all funds and meet all program goals within a two-year (2) term with the possibility for an extension, at the discretion of HCR staff.

An applicant should not apply if the project will not begin within a reasonable time after receiving an executed grant agreement or will not be able to complete the project within the term. Funds remaining at the end of the term are subject to de-obligation and reallocation.

#### Equal Employment Opportunity/Minority and Women Owned Business and Affirmative Action

Under Article 15A of the New York State Executive Law, all award recipients and their contractors are required to comply with the equal employment opportunity provisions of Section 312 of that Article. Also, all contractors and awardees are required to make affirmative efforts to ensure that New York State Certified Minority and Women-Owned Business Enterprises are afforded opportunities for meaningful participation in projects funded by HTFC pursuant to Section 313 of the Article.

All MWBE firms used to satisfy this requirement must be certified as such with the State's Empire State Development ("ESD"). All SDVOB firms used to satisfy this requirement must be certified as such with the State's Office of General Services.

**Affirmative Action Policy Statement:** It is the policy of the HCR to provide equal opportunity to all people without regards to race, color, sex, religion, age, national origin, disability, or sexual orientation.

#### Questions

Any questions regarding this NOFA or the application process should be directed to: [NOFAApplications@hcr.ny.gov](mailto:NOFAApplications@hcr.ny.gov)



# MISCELLANEOUS NOTICES/HEARINGS

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## Notice of Abandoned Property Received by the State Comptroller

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

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

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

## PUBLIC NOTICE

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

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

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

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

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

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

Beneficiary Name Beneficiary City

Aasen,Estate of Gerd ITHACA  
Abbagliato,Estate of Ruth Beacon  
Abrams,Todd HIGHLAND  
Aldi,Robin SCHENECTADY  
Allen,Estate of Gladys ILION  
Anthony G Pettinato,Estate of Massapequa Park

Aponte,Adrian FAR ROCKAWAY  
Bailey,Dwayne BROOKLYN  
Baker,Suzanne J BALDWINVILLE  
Becker,Rollin C SEA CLIFF  
Bernice Vardy,Estate of REDWOOD CITY  
Betty J Sanderson,Estate Of AVON  
Bloodgood,Marion MYRTLE BEACH  
Bordies,Geralyn A MONTGOMERY  
Bordies,Robert WEST BABYLON  
Borer,Estate of Ann Boynton Beach  
Brown Jr,Johnny T HOLLY SPRINGS  
Brown,Jerel WILLOWBROOK  
Brown,Nucula MONROE  
Brown,Ryan John CLYDE  
Burns,Chad TREADWELL  
Butkewicz,Michael C EAST NORWICH  
Cacciotti,Estate of Giuseppina VERNON  
Callegari Jr,Rudolph NEW ROCHELLE  
Canavan,Michael David N WATERBORO  
Canner,Estate of Richard Middleburg  
Cannizzaro,Estate of Jean B N MASSAPEQUA  
Cannizzaro,Nicole NORTH MASSAPEQUA  
Carol L Rehbaum,Estate of TROY  
Carson,Deanna ROCHESTER  
Carson,Nicole ROCHESTER  
Centerbar Dilello,Deborah SARATOGA SPGS  
Chadwell,Corinne M CLINTON CORS  
Charter,Phyllis OCALA  
Clarence Rose,Estate Of GREENFIELD PARK  
Cole,Charlene Ann KENT  
Copeland,Kerry Ann AMITYVILLE  
Cosentino,John MORIARTY  
Cox,Estate of Evelyn SYRACUSE  
Daniels,Stacy BAYVILLE  
Davidson,Rita Agnes MEDFORD  
DeMartinis,Nancy MILLER PLACE  
Denk,Estate of Margarette BUFFALO  
Dill,Josephine NEW MILFORD  
Disbrow,Andrea R SLINGERLANDS  
DIXON,ERIC R STATEN ISLAND  
Dorine L DePue,Estate of ELMIRA  
Dupont,Estate of Sherry A ROCHESTER  
Eleanor L Beers,Estate of UNION SPRINGS  
Elizabeth M Obrien,Estate of Selden  
Eugene W Munsell,ESTATE OF RENSSELAER  
Fahs,Ronald C. FT. PIERCE  
Flood Jr,Estate of Francis J MELVILLE  
FLORENCE UNTERWEGER,ESTATE OF SILVER SPRING

Forgey, Virginia RINGGOLD  
 France, Estate of Connie J West Senca  
 Fusco, Angela D WINGDALE  
 Goetschius, Helene  
 Graffeo, Paul P ALBANY  
 Green, Henry NEW YORK  
 Hafford, Brenda AMENIA  
 Hall, Estate of Margaret I GROVELAND  
 Harper, Estate of Raymond W AUBURN  
 Heim, Suzanne M SALISBURY  
 Helen P Vedder, Estate of Cobleskill  
 Helinski, William E SOUTHOLD  
 Henry C Zinner, Estate of WELLINGTON  
 Hippchen, Christina T LATHAM  
 Hollar, Seth Andrew CARBONDALE  
 Irrevocable Life Ins Trust, Paul H Davis PLAINSBORO  
 Jablonski, Michelle BATAVIA  
 Jackson Jr, Allen S BUCHANAN  
 Jane Chrastil, Estate of E NORTHPORT  
 Jane P Bushby, Estate of LISBON  
 Jeffers, Marie J WALWORTH  
 Jenkins, Donna BENSALAM  
 Jones, Estate of Betty BALTIMORE  
 Jones, Linsey L TICONDEROGA  
 JUDITH SCHRAM, ESTATE OF SCOTCH PLAINS  
 Kelly, Adrienne CAMBRIDGE  
 Kelly, Colin CAMBRIDGE  
 Kibler, Shawn W MIDDLEPORT  
 Kiernan, Estate of Mary JOHNSTOWN  
 King, Estate of Patricia APEX  
 Klein, Henrietta M MIDDLETOWN  
 Klein, Jacob W GOSHEN  
 Klein, Margaret A MIDDLETOWN  
 Kline II, John A BALDWINVILLE  
 Kline, Kristen L ENDWELL  
 LaFleur, Vickie Ann ALBANY  
 Lamboy, Gladys BROOKLYN  
 LaPoint, Estate of Jacqueline M MERRILL  
 Lewis, Tina DANSVILLE  
 Littlejohn, Nina BUFFALO  
 Living Trust, Dorin DePue FAIRFAX  
 Mapes, Estate of Brenda Wesley Chapel  
 Marco, Estate of Joseph J SYRACUSE  
 Marie D Helinski, Estate of SOUTHOLD  
 Marilyn G Schiff, Estate of NEW YORK  
 Marrocco, Estate of Joann Dexter  
 Mayne, Alvan PALM COAST  
 Mc Nair Jr, Edward C NEWBURGH  
 Mc Nair, La Vonne L BEACON  
 Mc Nair, Lakeshia N BEACON  
 Mclean, Rosetta COURTLAND  
 Michael T Kennedy, Estate Of SALISBURY MLS  
 Michele D Toussaint, Estate of DAYTONA BEACH  
 Miller, Barbara J FORT BRAGG  
 Mitchel, Estate of Loretta CENTEREACH  
 Moran Jr, John M BROOKLYN  
 Newkirk, Joseph Lamont CHARLOTTE  
 Orenstein, Estate of Israel A NEW YORK  
 Patrick J Ruddy, Estate of KATONAH  
 Peters, Estate of Dorothy Thornville  
 Pisanello, Estate of Diane OVIEDO  
 Quinn, Estate of Francis WESTBURY  
 Randolph, Kevin CENTRAL ISLIP  
 Raymond, Estate of Joyce M PORT HENRY  
 Redner, Kyle S BARTON  
 Reyer, Mark G SAN DIEGO  
 Richard G Eastman, Estate of QUEENSBURY  
 Richard J Gottschall, Estate of VESTAL  
 Richard, Paul EASTHAM  
 Riley, Patrick ALBANY  
 Rose, Michael GREENFLD PARK  
 Rosemary P Fronk, Estate of SCHENECTADY  
 Ruth Brown, Estate Of BUFFALO  
 Ruth Kitchen, Estate of SMYRNA  
 Ruth Rositzke, Estate of SMITHTOWN  
 Ruvo, John M REDDING  
 Savage Jr, Ronald L BRONX  
 Scanlon, Estate of Geraldine L UTICA  
 Schwarztrauber, Nancy R ATLANTA  
 Scolaro, Mimi E COBLESKILL  
 Smith, Jean Albany  
 Snyder, Darlene KENT  
 Solveig Snell, Estate of LAGUNA WOODS  
 Sorbello, Joseph G. SYRACUSE  
 Stryker, Estate of Jean E ASHBURN  
 Sturla, Shana J MANALAPAN  
 Temple, Estate of Doris D DEERFIELD BCH  
 THOMAS J WALLACE, ESTATE OF Danville  
 Tucker, Timothy B ORLANDO  
 Virga, Anthony J YONKERS  
 Wallace Lloyd, Estate Of HYATTSVILLE  
 Waltz, Estate of Beverly A RAVENA  
 Ward, Reginald DALLAS  
 Warren, Frances JUPITER  
 Warsop, Arnold D YONKERS  
 Warsop, Clifford R QUEENS VLG  
 Warsop, Ivorica V HEMPSTEAD  
 Weil, Chastity L REIDSVILLE  
 Weinberger, Estate of Philip M TEANECK  
 Welgan, Judy L SHELBYVILLE  
 Willard, James M BUFFALO  
 Williams, Estate of Beatrice A HARBORCREEK  
 Williams, Melrene CORTLANDT MANOR  
 Wirchansky, Pamela Amadio YONKERS  
 Witt, Peter C WEBSTER  
 Wollaber Sr, Estate of Harold SANBORN

## PUBLIC NOTICE

### Department of Environmental Conservation Extension of Public Comment Period

NOTICE is hereby given that the public comment period on a Notice of Proposed Rulemaking, I.D. No. ENV-40-24-00001-P, published in the October 2, 2024 issue of the State Register, is extended until Thursday, January 23, 2025.

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

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

*Comments may be submitted by regular mail postmarked by Janu-*

ary 23, 2025 to: NYS DEC – Division of Water, 625 Broadway, 4th Floor, Albany, N.Y. 12233-3500, Attn: Gwendolyn Temple or by email transmitted by 5:00 p.m. on January 23, 2025 to: water.regs@dec.ny.gov, subject: Part 601 and 602 Rule Making.

**PUBLIC NOTICE**

Department of State  
F-2024-0503

Date of Issuance – December 18, 2024

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

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant’s consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2024-0503, Town of North Hempstead is proposing to remove the existing 4,380sf timber fishing pier. Construct and install three 12’ x 40’ timber pier platforms, three 5’ x 30’ gangway bridges, a 20’ x 100’ floating wave attenuator with a 3’ x 30’ access gangway, two wave screens, and eight 8’ x 13’ oyster castles. Located at the North Hempstead Beach Park, 141 W. Shore Road, Port Washington, NY, 11050.

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

<https://dos.ny.gov/system/files/documents/2024/12/f-2024-0503.pdf> or at <https://dos.ny.gov/public-notices>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or January 20, 2025.

*Comments should be addressed to:* Department of State, Office of Planning, Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

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

**PUBLIC NOTICE**

Department of State  
F-2024-0729

Date of Issuance – December 18, 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-2024-0729, Tinney Marina – C/O Julia Tinney, is proposing to dredge up to 100 CY from a 2700 sq. ft. area within existing marina to -1’ below river-bed grade, and dredge up to 100 CY from a 2700 sq. ft. area within new-undisturbed area to -1’ below river-bed grade. Install a 4’ x 100’ bulkhead-dock on 6” steel pilings. Install four new 6’ x 20’ floating docks off of the new bulkhead-dock. The proposed project would be located at 20 State Street, St. Lawrence River, Village of Clayton, Jefferson County.

The stated purpose of the proposed action is to “Expand the docking capacity of an existing marina. Restore adequate water depths for boat dockage during low water conditions.”

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

<https://dos.ny.gov/system/files/documents/2024/12/f-2024-0729.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 January 17, 2025.

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

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

**PUBLIC NOTICE**

Department of State  
F-2024-0756

Date of Issuance – December 18, 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-2024-0756, Pelham Community Rowing Association, is proposing to remove and replace the existing 10 foot(ft)-wide by 122 ft-long T-shaped floating dock system, replace the existing 20ft-wide by 40 ft-long floating dock between the T-dock and gangway, and replace the existing 8’ x 50’ long gangway with a new 8’ x 60’ long gangway. Install six (6) 12” anchor piles. The proposed T-shaped dock would be 20ft waterward of the existing dock at the farthest section from shore. The proposed project would be located at Glen Island Park - Weyman Ave, New Rochelle Harbor, City of New Rochelle, Westchester County.

The stated purpose of the proposed action is “The project is intended to address access limitations with the dock that arise during periods of low-water when grounding of the flotation occurs.”

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

<https://dos.ny.gov/system/files/documents/2024/12/f-2024-0756.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 January 17, 2025.

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

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

**PUBLIC NOTICE**

Department of State  
F-2024-0766

Date of Issuance – December 18, 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-2024-0766, Antique Boat Museum, is proposing to dredge up to 385 CY from six separate areas which total 7,900 sq. ft. in between Antique Boat Museum owned docks. Five of the six areas are proposed to be dredged to -1' below existing river-bed grade, and the sixth area is proposed to be dredged to -2' below existing river-bed grade. Dredged material placement will be at an upland location. The proposed project would be located at 750 Mary Street, St. Lawrence River, Village of Clayton, Jefferson County.

The stated purpose of the proposed action is "This dredge project will maximize available boat dockage space for the volume of boats expected at the national event".

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

<https://dos.ny.gov/system/files/documents/2024/12/f-2024-0766.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 January 17, 2025.

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

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

## PUBLIC NOTICE

Department of State  
F-2024-0785 (DA)

Date of Issuance – December 18, 2024

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

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

In F-2024-0785 (DA), the U.S. Army Corps of Engineers is proposing to perform maintenance dredging of the East Rockaway Inlet to 14 feet MLLW plus 2 feet allowable over depth to remove approximately 450,000 cubic yards of shoaled sand with placement at Far Rockaway Beach as nourishment. The purpose of this project is to maintain the authorized project dimensions to assure continued safe and economic use of the waterway. This project is located in the East Rockaway Inlet Federal Navigation Channel, Far Rockaway Beach, Queens and Nassau County.

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

<https://dos.ny.gov/system/files/documents/2024/12/f-2024-0785da.pdf> or at <https://dos.ny.gov/public-notices>

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

- New York City Local Waterfront Revitalization Program:

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

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30-days from the date of publication of this notice, or January 17, 2025.

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

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

## PUBLIC NOTICE

Department of State  
Uniform Code Variance / Appeal Petitions

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

2024-0498 Matter of Total Basement of WNY, 950A Union Rd., Buffalo, NY 14224, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing on-family dwelling located at 62 Oakhill Drive, Town of West Seneca, County of Erie, State of New York.

2024-0506 Matter of Labella Associates D.P.C., 300 Pearl Street, Suite 130, Buffalo, NY 14202, for a variance concerning safety requirements, including horizontal assembly enclosure requirements. Involved is an existing mixed-use Group R2 occupancy (dormitory) and Group B (laundry room) located within the University of Buffalo, Ellicott Complex, 515 Broadway, City of Buffalo, County of Erie, State of New York.

2024-0518 Matter of Adrienne Rivera, 30 Greenleaf Avenue, Tonawanda, NY 14150, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing on-family dwelling located at 30 Greenleaf Avenue, Town of Tonawanda, County of Erie, State of New York.

2024-0544 Matter of Smithers Construction LLC, Patrick D Smithers, 192 Monroe Drive, Williamsville, NY 14221, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing on-family dwelling located at 9349 Via Cimato Drive, Town of Clarence, County of Erie, State of New York.

2024-0572 Matter of The Forsyth-Warren Tavern Living History Farm and Museum, Tyler Booth, 5182 Ridge Road, Lockport, NY 14094, for an appeal of the determinations made by the Code Enforcement Official concerning safety requirements, including handrails, accessibility, exit signage, smoke alarms, and surfaces. Involved is an existing one-family dwelling located at 5182 Ridge Road, Town of Cambria, County of Niagara, 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.

2024-0574 Matter of William Kraebel, 235 Deephole Drive, Matituck, NY 11952, for a variance concerning safety requirements, including a 3 inch gap beneath the pool barrier with 42 inch height off patio. Involved is an existing dwelling located at 2740 Deephole Drive, County of Suffolk, State of New York.

2024-0610 Matter of Hoffman Grayson Loizides Vanrei + Vandrei Architects LLP, Catherine Vandrei, 90 High Street, Huntington, NY 11743, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 10 Bialla Place, Town of Huntington, County of Suffolk, State of New York.

2024-0612 Matter of Leonard Horchos, Architect, Leonard A. Horchos, 15 Dewey Street, Huntington, NY 11743, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 27 Trainer Court, Town of Huntington, County of Suffolk, State of New York.

2024-0614 Matter of Michael Senn, 104 Graham Ave., Holbrook, NY 11741, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 104 Graham Ave., Town of Islip, County of Suffolk, State of New York.

2024-0615 Matter of Select Permits, Larry Buscemi, P.O. Box 679, Mt. Sinai, NY 11766, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 4 Dusk Drive, Town of Brookhaven, County of Suffolk, 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.

2024-0608 Matter of Captain Permit, Michael Arato, 245 Route 109, Suite D, West Babylon, NY 11704, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 17 Rugby Drive, Town of Brookhaven, County of Suffolk, 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.

2024-0609 In the Matter of Andrew Taylor of Foit - Albert Associates, 295 Main Street, Suite 200, Buffalo, NY, for a variance concerning fire alarm pull station location at Paine and Zenger Halls Colonial Quad SUNY Albany. Involved is a student dormitory known as Paine and Zenger Hall, Colonial Quad located on the Campus of the New York State University of Albany Campus, the Building is 11 stories in

height located at Colonial Quad Complex, City of Albany, County of Albany, 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.

2024-0611 In the Matter of Cheridan Designs, Dan Scharff, 719 Traver Road, Pleasant Valley, NY 12569, for a variance concerning safety requirements, including fire sprinkler. Involved is a two story building located at 1699 Main Street, Town of Pleasant Valley, County of Dutchess, State of New York.

**PUBLIC NOTICE**

Department of State

Uniform Code Variance / Appeal Petitions

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2024-0613 In the Matter of Michael Gott, 5 Mead Road, Armonk, NY 10504, for a variance concerning safety requirements, including dwelling wall as barrier. Involved is a one family dwelling located in the County of Westchester, State of New York.

**PUBLIC NOTICE**

Department of Taxation and Finance

Interest Rates

The Commissioner of Taxation and Finance hereby sets the interest rates for the months of January, February, March 2025 pursuant to Tax Law sections 697(j) and 1096(e), as follows:

For purposes of section 697(j) the overpayment rate of interest is set at 6 percent per annum, and the underpayment rate of interest is set at 9.5 percent per annum. For purposes of section 1096(e), the overpayment rate of interest is set at 6 percent per annum, and the underpayment rate of interest is set at 11 percent per annum. (The underpayment rates set pursuant to sections 697(j) and 1096(e) may not be less than 7.5 percent per annum.) Pursuant to Tax Law section 1145(a)(1), the underpayment rate for State and local sales and use taxes administered by the Commissioner of Taxation and Finance is 14.5 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law is 15 percent.

For the interest rates applicable to overpayments (refunds) and underpayments (late payments and assessments) of the following taxes administered by the Commissioner of Taxation and Finance for the period January 1, 2025 through March 31, 2025, see the table below:

1/1/25 - 3/31/25

Interest Rate Per Annum

Compounded Daily

<b>Commonly viewed tax types</b>	<b>Refunds</b>	<b>Late Payments &amp; Assessments</b>
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Income **	6%	9.5%
Sales and use	6%	14.5% *
Withholding	6%	11%
Corporation **	6%	11%
<b>Other tax types</b>	<b>Refunds</b>	<b>Late Payments &amp; Assessments</b>
Adult-Use Cannabis Products ***	6%	14.5%
Alcoholic Beverage	6%	11%
Authorized Combative Sports	6%	11%
Beverage Container Deposits	6%	11%
Cigarette	NA	11%
Congestion Surcharge	6%	11%
Diesel Motor Fuel	6%	11%
Estate	6%	9.5%
Fuel Use Tax	****	****
Generation-Skipping Transfer	6%	9.5%
Hazardous Waste	6%	15%
Highway Use	6%	11%
Medical Cannabis	6%	11%
Metropolitan Commuter Transportation Mobility Tax	6%	9.5%
Mortgage Recording	6%	11%
Motor Fuel	6%	11%
New York City Taxicab and Hail Vehicle Trip Tax	6%	11%
Opioid Excise Tax	6%	11%
Paper Carryout Bag Reduction Fee	6%	14.5%
Petroleum Business	6%	11%
Real Estate Transfer	6%	11%
Tobacco Products	NA	11%
Transportation Network Company Assessment	6%	11%
Waste Tire Management and Recycling Fee *****	6%	14.5%
Wireless Communications Sur- charge	6%	14.5%

\* The Tax Law requires the interest rate on sales tax assessments or late payments to be set at 14.5% for this quarter. However, if the Commissioner determines that the failure to pay or the delay in payment is due to reasonable cause and not willful neglect, the Commissioner may impose interest at the corporation tax late payment and assessment rate. That rate is 11% for this quarter.

\*\* There are a number of state and local governmental bodies that have interest rates tied to the overpayment and underpayment rates contained in either section 697(j) (Income Tax) or Tax Law section 1096(e) (Corporation Tax). For purposes of Tax Law section 697(j) and section 1096(e), the overpayment rate for this period is 6%. For purposes of Tax Law section 697(j), the underpayment rate for this period is 9.5%. For purposes of Tax Law section 1096(e), the underpayment rate for this period is 11%.

\*\*\* Under Tax Law section 496-b(a), the rates of interest for overpayment and underpayment of tax relating to Adult-Use Cannabis Products are set pursuant to Tax Law Article 28, effective December 1, 2024.

\*\*\*\* Under Tax section 527(f), the interest rates relating to the Fuel Use tax are set pursuant to the International Fuel Tax Agreement (IFTA). For more information regarding IFTA interest rates, see [www.iftach.org](http://www.iftach.org).

\*\*\*\*\* Under Environmental Conservation Law sections 27-1913(3)-(5), the rates of interest for overpayment and underpayment

of tax relating to the waste tire management and recycling fee are set pursuant to Tax Law Article 28, effective March 1, 2023.

For further information contact: Kathleen Chase, Office of Counsel, Department of Taxation and Finance, W. A. Harriman Campus, Albany, NY 12227, (518) 530-4153. For rates for previous periods, visit the Department of Taxation and Finance website: <https://www.tax.ny.gov/pay/interest/>

# EXECUTIVE ORDERS

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## **Executive Order No. 28.19: Declaring a Disaster Emergency in the State of New York**

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

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

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

WHEREAS, since the expiration of the Title 42 Order on May 11, 2023, thousands of additional people have sought shelter in New York, with New York City alone currently being responsible for sheltering approximately 58,000 migrants;

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

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

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the State Disaster Emergency as declared in Executive Order 28, as continued in Executive Order 28.19, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 28, as continued in Executive Order 28.19, until December 22, 2024.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-second day of November in the year two thousand twenty-four

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

## **Executive Order No. 38.3: Declaration of a Disaster Emergency**

## **in the State of New York**

WHEREAS, on August 9, 2024, I issued Executive Order Number 38 declaring a State Disaster Emergency for all counties in the State of New York;

WHEREAS, the storm produced heavy rainfall, severe thunderstorms and flash flooding, resulting in road closures, travel disruptions, widespread power outages, and damage to public and private property, which pose an ongoing threat to public health and safety for which affected local governments are unable to respond adequately;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the State Disaster Emergency as set forth in Executive Order 38 and do hereby continue the terms, conditions, and suspensions contained in Executive Order 38 and its successors until December 27, 2024.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this 27th day of November in the year two thousand twenty-four

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

