
NEW YORK STATE

REGISTER

INSIDE THIS ISSUE:

- Compliance with Banking Law Section 28-bb
- Incident Management Programs
- Physical/Occupational Therapy Assistants

Regulatory Agenda

Rule Review

Notice of Availability of State and Federal Funds

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 April 6, 2025
- the 45-day period expires on March 22, 2025
- the 30-day period expires on March 7, 2025

**KATHY HOCHUL
GOVERNOR**

**WALTER T. MOSLEY
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

For press and media inquiries call:
(518) 486-9844

For *State Register* production, scheduling and subscription information
call: (518) 474-6957
E-mail: adminrules@dos.ny.gov

For legal assistance with *State Register* filing requirements
call: (518) 474-6740
E-mail: dos.dl.inetcounsel@dos.ny.gov

An electronic version of the *New York State Register* is freely available at:
dos.ny.gov/state-register



The New York State Register (ISSN 0197 2472) is published weekly. Subscriptions are \$80 per year for first class mailing and \$40 per year for periodical mailing. The *New York State Register* is published by the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. Periodical postage is paid at Albany, New York and at additional mailing offices.

POSTMASTER: Send address changes to NY STATE REGISTER, the Department of State, Division of Administrative Rules, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

 printed on recycled paper

NEW YORK STATE
REGISTER

Be a part of the rule making process!

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

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

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

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

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

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

The *Register* costs \$80 a year for a subscription mailed first class and \$40 for periodical (second) class. Prepayment is required. To order, send a check or money order payable to the NYS Department of State to the following address:

NYS Department of State
One Commerce Plaza
99 Washington Avenue
Suite 650
Albany, NY 12231-0001
Telephone: (518) 474-6957

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

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

Rule Making Activities

Agriculture and Markets, Department of

1 / Agricultural Water Standards for Growing, Harvesting, Packing, and Holding for Human Consumption (A)

Audit and Control, Department of

1 / Accounting, Reporting and Supervision Requirements for Public Authorities (P)

Civil Service, Department of

2 / Jurisdictional Classification (P)

Environmental Conservation, Department of

4 / Recreational and Commercial Crab Management (P)

Financial Services, Department of

6 / Compliance with Banking Law Section 28-bb (P)

Mental Health, Office of

10 / Incident Management Programs (P)

Motor Vehicles, Department of

12 / ATV — Safety Courses and Safety Certificates (A)

Public Service Commission

12 / Proposed Major Rate Increase in Liberty SLG’s Gas Delivery Revenues by About \$2.2 Million (6.12% in Total Revenues) (P)

13 / Examine and Determine the Accuracy of All Apparatus for Testing and Proving the Accuracy of Water Meters (P)

13 / Petition to Submeter Electricity and Waiver of Energy Audit (P)

13 / Funding and Administration of an Innovation and Research Portfolio As Described in NYSERDA’s Innovation & Research Proposal (P)

14 / Review Tariff Modifications Regarding Pole Attachment Charges (P)

14 / Issuance of Long-Term Securities and Other Forms of Indebtedness (P)

14 / Notice of Intent to Submeter Electricity (P)

15 / Proposal for Replacement of Con Edison’s Rider Q Program with Locational Variant Daily as Used Demand Pricing Rates (P)

15 / Waiver of the Requirements of Velocity Steam Meter Testing for 2023 and 2024 (P)

16 / Review Tariff Modifications Regarding Pole Attachment Charges (P)

16 / Investment Targets and Operations of the Green Bank Program (P)

16 / Petition to Submeter Electricity (P)

Workers’ Compensation Board

17 / Physical/Occupational Therapy Assistants (E)

Hearings Scheduled for Proposed Rule Makings / 19

Action Pending Index / 23

Regulatory Agenda

79 / Gaming Commission, New York State

Rule Review

81 / Gaming Commission, New York State

Securities Offerings

85 / State Notices

Advertisements for Bidders/Contractors

87 / Sealed Bids

Notice of Availability of State and Federal Funds

93 / Environmental Facilities Corporation

93 / Housing and Community Renewal, Division of

Miscellaneous Notices/Hearings

95 / Notice of Abandoned Property Received by the State Comptroller

95 / Public Notice

RULE MAKING ACTIVITIES

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

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

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

Department of Agriculture and Markets

NOTICE OF ADOPTION

Agricultural Water Standards for Growing, Harvesting, Packing, and Holding for Human Consumption

I.D. No. AAM-42-24-00002-A

Filing No. 69

Filing Date: 2025-01-21

Effective Date: 2025-02-05

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

Action taken: Amendment of section 273.1 of Title 1 NYCRR.

Statutory authority: Agriculture and Markets Law, sections 16, 18 and 214-b

Subject: Agricultural water standards for growing, harvesting, packing, and holding for human consumption.

Purpose: Adopt the updated 21 CFR Part 112 standards.

Text or summary was published in the October 16, 2024 issue of the Register, I.D. No. AAM-42-24-00002-P.

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

Text of rule and any required statements and analyses may be obtained from: Aaron Finley, Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, (518) 457-3846, email: fsiwebinquiries@agriculture.ny.gov

Assessment of Public Comment

The agency received no public comment.

Department of Audit and Control

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Accounting, Reporting and Supervision Requirements for Public Authorities

I.D. No. AAC-05-25-00022-P

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

Proposed Action: Amendment of Parts 201, 202, 203, 204 and 206 of Title 2 NYCRR.

Statutory authority: Public Authorities Law, art. 9; State Finance Law, section 8(14); New York State Constitution, art. X, section 5

Subject: Accounting, reporting and supervision requirements for public authorities.

Purpose: To update accounting and reporting requirements for public authorities.

Substance of proposed rule (Full text is posted at the following State website: <https://www.osc.ny.gov/legislation/proposed-regulations>): The proposed rulemaking would revise various parts of 2 NYCRR Parts 201-204, and 206. The purpose of the revisions is to clarify accounting, reporting, and supervision requirements of public authorities, and to improve overall regulation clarity and consistency.

Text of proposed rule and any required statements and analyses may be obtained from: Marcella Buell, Office of the State Comptroller, 110 State Street, Albany, New York 12236, (518) 473-4138, email: mbuell@osc.ny.gov

Data, views or arguments may be submitted to: Marcella Buell, Office of the State Comptroller, 110 State Street, Albany, New York 12236, (518) 473-4138, email: mbuell@osc.ny.gov

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

Regulatory Impact Statement

1. **Statutory Authority:** The amendments to the rules are authorized under the New York State Constitution, Article X, § 5, which authorizes the Comptroller to supervise the accounts of public corporations; and Public Authorities Law, Article 9, Titles 1 and 4 which govern reporting and supervision of public authorities. State Finance Law § 8(14) authorizes the Comptroller to make, amend and repeal rules and regulations as he may deem necessary in the performance of the duties imposed upon him by law.

2. **Legislative Objectives:** Public Authorities Law Article 9 Title 1 imposes reporting requirements on Public Authorities, including but not limited to annual and budget reports, and Title 4 governs contracts of Public Authorities. Parts 201, 202, 203, 204 and 206 of the regulations, and the proposed amendments to such sections, clarify the accounting, reporting, and supervision requirements.

3. **Needs and Benefits:** The proposed amendments provide clarification to the accounting, reporting, and supervision requirements of public authorities, as an effort to make improvements to the processes and procedures.

4. **Costs:** No additional administrative costs to the State Comptroller's Office are anticipated for the implementation of proposed amendments to the rules.

5. Local Government Mandates: Not applicable.
6. Paperwork: No additional paperwork will be required as a result of this rule.
7. Duplication: None.
8. Alternatives: There are no alternative courses available.
9. Federal Standards: Not applicable.
10. Compliance Schedule: Amendments to the rules will be implemented as soon as practicable following adoption.

Regulatory Flexibility Analysis

1. Effect of rule: The amendments to the rules will provide additional clarity to public authorities regarding their reporting obligations. The Program is implemented and operated at the State level and does not have any impact on small businesses or local governments.

2. Compliance requirements: The proposed amendments to the rules are not expected to impose any compliance requirements on either small businesses or local governments.

3. Professional services: There are no professional services that a small business or local government will likely need to comply with the rule.

4. Compliance costs: There are no initial capital costs or annual costs for small businesses or local governments to comply with these rules.

5. Economic and technological feasibility: Since there are no compliance costs imposed upon small businesses or local governments there is no need to conduct an assessment of the economic feasibility of compliance with such rule.

6. Minimizing adverse impact: No adverse impact is anticipated for small businesses or local governments as a result of this rule. Accordingly, none of the approaches for minimizing adverse economic impact suggested in SAPA section 202-b (1) were considered.

7. Small business and local government participation: In order to ensure small businesses and local governments have an opportunity to participate in the rule making process, the text of the proposed rule will be published in the New York State Register.

Rural Area Flexibility Analysis

This action will not impose any adverse economic impact, reporting, recordkeeping or other compliance requirements on public or private entities in rural areas.

Department of Civil Service

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-05-25-00003-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "State Board of Elections," by increasing the number of Administrative Assistant from 16 to 18.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was

previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-05-25-00004-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office for People with Developmental Disabilities," by adding thereto the positions of Peer Specialist 2 (6).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-05-25-00005-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a subheading and a position in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Westchester County by adding thereto the subheading “Department of Planning,” and by adding thereto the position of Director – Water Agency (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

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

Jurisdictional Classification

I.D. No. CVS-05-25-00006-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Education Department, adding thereto the position of Equal Opportunity Specialist 2 (1) and by increasing the number of positions of Equal Opportunity Specialist 1 from 1 to 2.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

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

Jurisdictional Classification

I.D. No. CVS-05-25-00007-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading “Division of Human Rights,” by increasing the number of positions of Assistant Commissioner from 2 to 15.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

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

Jurisdictional Classification

I.D. No. CVS-05-25-00008-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified

Service, listing positions in the non-competitive class, in the Department of Family Assistance under the subheading "Office of Temporary and Disability Assistance," by adding thereto the position of Equal Opportunity Specialist 1 (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-05-25-00009-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Corrections and Community Supervision, by increasing the number of positions of Investigator 1 from 108 to 247.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was

previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-25-00008-P, Issue of January 8, 2025.

Department of Environmental Conservation

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Recreational and Commercial Crab Management

I.D. No. ENV-05-25-00023-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 44 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 13-0105 and 3-0301

Subject: Recreational and commercial crab management.

Purpose: To promulgate the Department's crab, horseshoe crab, and Chinese mitten crab regulations.

Public hearing(s) will be held at: 6:00 p.m., April 8, 2025 at virtual.

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

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

Substance of proposed rule (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/proposed-emergency-recently-adopted-regulations/marine-resources>): The proposed rulemaking is a repromulgation of 6 NYCRR Sections 44.2, 44.3 and 44.4 as they are currently in effect.

Text of proposed rule and any required statements and analyses may be obtained from: Christopher Scott, New York State Department of Environmental Conservation, 123 Kings Park Blvd., Kings Park, NY 11754, (631) 444-0429, email: christopher.scott@dec.ny.gov

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

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

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

Regulatory Impact Statement

1. Statutory authority:

The New York State Environmental Conservation Law (ECL) section 13-0105 directs the Department of Environmental Conservation (department) to manage New York State's marine fishery resources to preserve their long-term health and abundance for future generations while maintaining consistency with interjurisdictional fishery management plans (FMPs). ECL section 3-0301 further provides the department regulatory authority to carry out the environmental policy of the state, as set forth in ECL section 1-0101. More specifically, ECL section 3-0301 directs that it is the responsibility of the department to: "promote and coordinate management of water, land, fish, wildlife and air resources to assure their protection, enhancement, provision, allocation, and balanced utilization consistent with the environmental policy of the state and take into account the cumulative impact upon all such resources in making any determination in connection with any license, order, permit, certification or other similar action or promulgating any rule or regulation, standard or criterion"; "provide for the propagation, protection, and management of fish and other aquatic life and wildlife and the preservation of endangered species"; "provide for the protection and management of marine and coastal resources and of wetlands, estuaries and shorelines"; "adopt, amend or

repeal environmental standards, criteria and those rules and regulations having the force and effect of standards and criteria to carry out the purposes and provisions of this act.”; and “adopt such rules, regulations and procedures as may be necessary, convenient or desirable to effectuate the purposes of this chapter.”

2. Legislative objectives:

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

3. Needs and benefits:

The department regulates Crabs, Horseshoe Crabs, and Chinese Mitten Crabs pursuant to 6 NYCRR sections 44.2, 44.3, and 44.4, respectively. These provisions were promulgated pursuant to ECL subdivision 13-0331(7), which authorized the department to fix by regulation measures for the management of Crabs of any kind, including Horseshoe Crabs. ECL subdivision 13-0331(7) expired on December 31, 2024. On December 13, 2024, Governor Hochul vetoed Assembly Bill 10140, which would have established a moratorium on Horseshoe Crab take in addition to an extension of the department’s authority to regulate Crabs through 2026. The Governor’s veto message directed the department to implement administrative measures to protect Horseshoe Crabs “pursuant to its broad authority to protect and regulate the State’s marine resources.”

The proposed rule repromulgates sections 44.2, 44.3, and 44.4 under the above-cited statutory authority. The proposed rule continues the department’s regulatory authority for commercial and recreational Crab and Horseshoe Crab fisheries and is necessary to comply with the Atlantic States Marine Fisheries Commission (ASMFC) FMPs for Horseshoe Crab and Jonah Crab. Pursuant to ECL section 13-0371, New York State is a party to the Atlantic States Marine Fisheries Compact. The Compact establishes ASMFC, which facilitates cooperative management of marine, shellfish, and anadromous fish species among the 15 member states. The principal mechanism for implementation of cooperative management of migratory fish is ASMFC’s Interstate FMPs for individual species or groups of fish. The FMPs are designed to promote the long-term health of these species, preserve resources, and protect the interests of both commercial and recreational fishermen.

ASMFC manages both Horseshoe Crabs and Jonah Crabs. The State achieves compliance with the ASMFC FMPs for these species through implementation and enforcement of the department’s regulations at sections 44.2 and 44.3. If New York does not repromulgate the regulations as proposed, the State may be found out of compliance with ASMFC’s requirements. Noncompliance may result in a federally imposed statewide moratorium on Horseshoe Crab and Jonah Crab fishing, which will have a significant economic impact on commercial fishers.

For crab species not managed by ASMFC, such as Blue Crab, failure to adopt the proposed rule would result in an unregulated fishery. The Blue Crab fishery is an important fishery in New York State. Section 44.2 of the department’s regulations contains size limits and gear restrictions for Blue Crab. Absent its ability to implement and enforce these regulations, the department cannot manage the Blue Crab fishery in a sustainable manner, leading to potentially detrimental impacts to the species and ecosystem, as well as negative economic impacts for commercial fishers and related businesses.

4. Costs:

Because the proposed rulemaking is a repromulgation of sections 44.2, 44.3, and 44.4 as they were in effect as of December 31, 2024, there are no new compliance costs to fishers or related businesses. In calendar year 2024, there were 522 commercial crab permit holders and 431 commercial Horseshoe Crab permit holders in New York State. If the State fails to adopt the proposed rule, ASMFC may find the State out of compliance, resulting in federal closure of the State’s Horseshoe Crab and Jonah Crab fisheries. All Horseshoe Crab harvest in New York is for use as bait in the commercial Whelk and American Eel fisheries. There are no viable or commercially available alternative baits for these fisheries. Some of New York’s license holders participate in two or three of these related fisheries. A moratorium on the Horseshoe Crab fishery may impact more than 100 commercial licensees and cause an estimated direct loss of \$1.2 million (ex-vessel value). A moratorium on the Jonah Crab fishery would impact 15 commercial harvesters and cause an additional estimated direct loss of \$229,000 (ex-vessel value). Unregulated harvest of other crab species which do not have an interstate FMP, such as Blue Crab, could result in overharvest, diminished stocks, and negative economic impacts to fishers. In 2023, there were 38 active participants in the State’s Blue Crab fishery. This fishery has an estimated value of \$228,397 (ex-vessel value). The department expects additional indirect economic impacts to mechanics and shipyards, marinas, fishing gear and fuel suppliers, and other related businesses if this regulation is not promulgated.

5. Local government mandates:

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

6. Paperwork:

The proposed rule would not impose any new reporting requirements.

7. Duplication:

The amendment does not duplicate any State or federal requirement.

8. Alternatives:

No alternatives were considered. If the State of New York fails to adopt the proposed rule, ASMFC may find the State out of compliance, resulting in federal closure of the State’s Horseshoe Crab and Jonah Crab fisheries. Furthermore, failure by the department to reestablish its regulatory authority over crabs may result in overharvest, with significant negative consequences for crab species and ecosystems, as well as negative economic impacts to commercial fishers that rely on those species.

9. Federal standards:

The proposed rule does not exceed any minimum federal standards.

10. Compliance schedule:

Compliance with the proposed rule would be required upon publication of the Notice of Adoption in the State Register. The public would be notified of the changes to the regulations through appropriate news releases, the “DEC Delivers” Saltwater Fishing and Boating Newsletter, and the department’s website. In addition, the department will send direct notice by email and/or mail to commercial fishing license holders including Food Fish, Crab, and Horseshoe Crab license holders.

Regulatory Flexibility Analysis

1. Effect of rule:

The New York State Department of Environmental Conservation (department) regulates Crabs, Horseshoe Crabs, and Chinese Mitten Crabs through the provisions of 6 NYCRR sections 44.2, 44.3, and 44.4, respectively. These provisions were promulgated pursuant to New York State Environmental Conservation Law (ECL) subsection 13-0331(7), which authorized the department to fix by regulation measures for the management of crabs of any kind, including Horseshoe Crabs. ECL subsection 13-0331(7) expired on December 31, 2024. This proposed rule repromulgates 6 NYCRR Sections 44.2, 44.3, and 44.4 under the statutory authority of ECL sections 3-0301 and 13-0105. Because the proposed rule simply repromulgates sections 44.2, 44.3, and 44.4 as they were in effect on December 31, 2024, no new costs to local governments or small businesses are expected.

The proposed rule continues the department’s regulatory authority to manage the State’s commercial and recreational Crab and Horseshoe Crab fisheries and is necessary to comply with the Atlantic States Marine Fisheries Commission (ASMFC) fishery management plans (FMPs) for Horseshoe Crab and Jonah Crab. Pursuant to ECL section 13-0371, New York State is a party to the Atlantic States Marine Fisheries Compact. The Compact establishes ASMFC, which facilitates cooperative management of marine, shellfish, and anadromous fish species among the 15 member states. The principal mechanism for implementation of cooperative management of migratory fish is ASMFC’s Interstate FMPs for individual species or groups of fish. The FMPs are designed to promote the long-term health of these species, preserve resources, and protect the interests of both commercial and recreational fishermen. The State achieves compliance with the ASMFC FMPs for Horseshoe Crabs and Jonah Crabs through implementation and enforcement of the department’s regulations at sections 44.2 and 44.3. Failure by the State to repromulgate the regulations as proposed may result in a federally imposed statewide moratorium on Horseshoe Crab and Jonah Crab fishing.

In calendar year 2024, there were 522 commercial Crab permit holders and 431 commercial Horseshoe Crab permit holders in New York State. All Horseshoe Crab harvest in New York is for use as bait in the commercial Whelk and American Eel fisheries. There are no alternative baits for these fisheries. Some of New York’s license holders participate in two or three of these related fisheries. A moratorium on the Horseshoe Crab fishery may impact more than 100 commercial license holders and cause an estimated direct loss of \$1.2 million (ex-vessel value). A moratorium on the Jonah Crab fishery would impact 15 commercial harvesters and cause an additional estimated direct loss of \$229,000 (ex-vessel value). Unregulated harvest of other Crab species which do not have an interstate FMP, such as Blue Crab, could result in overharvest, diminished stocks, and negative economic impacts to fishers. In 2023, there were 38 active participants in the State’s Blue Crab fishery. This fishery has an estimated value of \$228,397 (ex-vessel value). The department expects additional indirect economic impacts to mechanics and shipyards, marinas, fishing gear and fuel suppliers, and other related businesses.

2. Compliance requirements:

Recreational and commercial Crab and Horseshoe Crab harvesters must continue to abide by the existing express terms of 6 NYCRR sections 44.2, 44.3, and 44.4, as they were in effect on December 31, 2024.

3. Professional services:

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

4. Compliance costs:

There are no expected new costs to local governments or to small businesses.

5. Economic and technological feasibility:

The proposed rule does not require any new expenditure on the part of small businesses or local governments. There are no new gear requirements to comply with the proposed rule.

6. Minimizing adverse impact:

This rulemaking is necessary for the State to comply with the ASMFC FMPs for Horseshoe Crab and Jonah Crab. If New York fails to adopt the proposed rule, ASMFC may find the State out of compliance, resulting in federal closure of the State's Horseshoe Crab and Jonah Crab fisheries. The potential economic impacts of a statewide moratorium on Horseshoe Crab and Jonah Crab fishing are significantly greater than the costs associated with compliance with the proposed rule. Additionally, unregulated harvest of other crab species which do not have an interstate FMP, such as Blue Crab, may result in overharvest, diminished stocks, and negative economic impacts to fishers and related small businesses.

7. Small business and local government participation:

New York State fishers, including small businesses, will have an opportunity to provide input on the proposed rule at a Marine Resource Advisory Council meeting on January 14, 2025. Upon publication of the proposed rule in the State Register, the department will provide notice of the proposed rule, public comment period, and public hearing through the department's Environmental Notice Bulletin, the "DEC Delivers" Saltwater Fishing and Boating Newsletter, and the department's website. In addition, the department will send direct notice by mail and/or email to commercial Food Fish, Crab, and Horseshoe Crab license holders.

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

Pursuant to State Administrative Procedure Act (SAPA) § 202-b(1-a)(b), a cure period is not included in the rule because of the potential adverse impact on the resource. Cure periods for the illegal taking of fish or wildlife are neither desirable nor recommended. Immediate compliance is required to ensure that the general welfare of the public and the resource are both protected.

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

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

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

The proposed rule impacts fishers in the marine and coastal district and inland waters of the Hudson River. There are no rural areas within the marine and coastal district. Five Hudson River watershed counties fall into the rural area category: Columbia, Greene, Putnam, Rensselaer, and Ulster counties. The proposed regulations may impact individuals who participate in the commercial and recreational Blue Crab fisheries in these geographic areas.

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

The proposed rule repromulgates 6 NYCRR sections 44.2, 44.3, and 44.4, as they were in effect on December 31, 2024. There are no new reporting, record keeping, or other compliance requirements associated with this rulemaking. The rulemaking does not require the use of professional services for compliance.

3. Costs:

The proposed rule is a repromulgation of regulations in effect as of December 31, 2024; there are no new costs to rural areas to comply with the proposed rule. There are four licensed Blue Crab harvesters in the Hudson River and the estimated value of this fishery is \$884 (ex-vessel value). Blue Crab landings from the Hudson River make up less than one percent of total landings in the State.

4. Minimizing adverse impact:

This proposed rule continues New York State's regulatory authority for commercial and recreational Crab and Horseshoe Crab fisheries and is necessary to comply with the Atlantic States Marine Fisheries Commission (ASMFC) fishery management plans (FMP) for Horseshoe Crab and Jonah Crab. If the State fails to adopt the proposed rule, ASMFC may find the State out of compliance, resulting in federal closure of the State's Horseshoe Crab and Jonah Crab fisheries. Additionally, unregulated harvest of other Crab species which do not have an interstate FMP, such as Blue Crab, could result in overharvest, diminished stocks, and negative economic impacts to fishers and related businesses in rural areas. The consequence of noncompliance would have a far greater adverse impact on commercial fishers than the proposed rule.

5. Rural area participation:

New York State fishers, including in rural areas, will have an opportunity to provide input on the proposed rule at a Marine Resource Advisory Council meeting on January 14, 2025. The department will provide

notice of the proposed rule, public comment period, and public hearing through the department's Environmental Notice Bulletin, "DEC Delivers" Saltwater Fishing and Boating Newsletter, and website. In addition, the department will send direct notice by mail and/or email to commercial Food Fish, Crab, and Horseshoe Crab license holders.

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

The department will conduct an initial review of the proposed rule within three years, as required by SAPA section 207.

Job Impact Statement

6 NYCRR sections 44.2, 44.3, and 44.4 regulate Crabs, Horseshoe Crabs, and Chinese Mitten Crabs, respectively. These regulations were promulgated pursuant to the statutory authority provided by New York State Environmental Conservation Law (ECL) subdivision 13-0331(7), which expired on December 31, 2024. The proposed rulemaking repromulgates the department's Crab, Horseshoe Crab, and Chinese Mitten Crab regulations under the statutory authority of ECL sections 13-0105 and 3-0301. This rulemaking is necessary for the State of New York to reestablish regulatory authority to manage the State's commercial and recreational Crab and Horseshoe Crab fisheries, and to comply with each of the Atlantic States Marine Fisheries Commission (ASMFC) fishery management plans (FMPs) for Horseshoe Crab and Jonah Crab. Failure to adopt the proposed rule, and to maintain the department's regulatory authority to manage crabs in compliance with ASMFC FMPs, may result in closure of the State's Horseshoe Crab and Jonah Crab fisheries. Additionally, unregulated harvest of other crab species which do not have an interstate FMP, such as Blue Crab, could result in overharvest, diminished stocks, and negative economic impacts to fishers and related businesses.

Because the proposed rulemaking is a repromulgation of sections 44.2, 44.3, and 44.4 as they were in effect on December 31, 2024, no new compliance costs are expected. Given that the economic impact would be minimal, a Job Impact Statement is not submitted with this proposal because the proposal would have no substantial adverse impact on existing or future jobs and/or employment opportunities.

Department of Financial Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Compliance with Banking Law Section 28-bb

I.D. No. DFS-05-25-00002-P

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

Proposed Action: Addition of Part 120 to Title 3 NYCRR.

Statutory authority: Banking Law, sections 9-d, 28-bb, 590, 596 and 597; Financial Services Law, sections 202, 301, 302; Executive Law, section 296-a

Subject: Compliance with Banking Law, section 28-bb.

Purpose: This rule implements the mandate of Banking Law Section 28-bb.

Substance of proposed rule (Full text is posted at the following State website: https://www.dfs.ny.gov/industry_guidance/regulations/proposed_banking):

The Department of Financial Services ("DFS") provides this description of the subject, purpose, and substance of the proposed new Part 120 of Title 3 of the New York Codes, Rules and Regulations in accordance with State Administrative Procedure Act § 202(1)(f)(v). The full text of the proposed amendment is available on DFS's website at: https://www.dfs.ny.gov/industry_guidance/regulations/proposed_banking

The proposed new Part 120 would implement New York Banking Law ("BL") § 28-bb, L.2021, c. 549, which mandates that the Superintendent of Financial Services ("Superintendent") evaluate the record of performance of certain mortgage bankers licensed under BL § 591 in helping to meet the credit needs of their communities, consistent with their safe and sound operation. Further, the Superintendent must consider the assessment of a licensed mortgage banker pursuant to BL § 28-bb when taking action on applications to DFS from such mortgage banker. This proposal implements this legislative mandate by establishing an evaluation regime for covered institutions and elaborating how the Superintendent will rely on assessments in taking action on covered applications.

Proposed Part 120 resembles 3 N.Y.C.R.R. Part 76, the regulation implementing BL § 28-b, the New York Community Reinvestment Act

(“CRA”), enacted in 1978, but Part 120 is tailored to the business model of mortgage banking, which differs from that of banking institutions covered by Part 76. Under Part 76, banking institutions’ assessment areas include regions where they take deposits and have physical branches as well as areas where they make loans (except for wholesale banks and limited purpose banking institutions). Like Part 76, proposed Part 120 includes lending tests and service tests, but because mortgage bankers do not take deposits, mortgage bankers will not be evaluated on investment activities. Instead, mortgage bankers will be assessed based on their activities in communities where they do a substantial portion of their lending business. The proposed regulation includes several methods for setting an assessment area, developed to account for the most common mortgage banker business models, both branch-based and lending-based.

Proposed new § 120.1 provides the definitions for the Part, including for such terms as, “area median income,” “assessment area,” “community development,” and “MSA” or “metropolitan statistical area.”

Proposed new § 120.2 requires mortgage bankers to file certain federally, state, and locally mandated reports and document filings, such as filings made pursuant to the federal Home Mortgage Disclosure Act, and their supporting materials, with the Superintendent upon request. This provision also requires mortgage bankers to ensure the completeness and accuracy of the data they submit. Further, it permits mortgage bankers to submit additional data concerning their performance in meeting the credit needs of their communities.

Proposed new § 120.3 establishes that when performing the assessments required under BL § 28-bb, the Superintendent will, consistent with the statutory mandate, consider certain factors set forth in the law and the results of the performance tests and standards detailed in § 120.6 of the regulation. This section also clarifies that the Superintendent is permitted to deny certain applications based on a mortgage banker’s performance and may, in the Superintendent’s discretion, set conditions on the approval of an application.

Proposed new § 120.4 details how the Superintendent will conduct performance evaluations of mortgage bankers, including the steps involved in an evaluation and the rating system to be used. Also, consistent with BL § 28-bb(1), this section provides that the Superintendent will make a written summary of the result of an assessment available to the public.

Proposed new § 120.5 explains how a mortgage banker may delineate one or more geographical assessment areas within which DFS will evaluate the mortgage banker’s record of helping to meet the credit needs of its community. It also provides that DFS will use the assessment area or areas delineated by a mortgage banker in conducting its assessment of the mortgage banker unless DFS determines that the assessment area or areas do not meet the requirements of § 120.5. This section does not require any mortgage banker to establish a branch in any specific geographical area. Assessment areas will be established based on the mortgage banker’s business volume and location of its branch(es), if any. Mortgage bankers that have branches in New York State will set their assessment areas in relation to the location of their branches, and assessment areas will be established for all mortgage bankers in each MSA (or the nonmetropolitan areas in New York State) outside any branch-based assessment areas where they have made, in each of the two preceding calendar years, at least 100 mortgage loans. Mortgage bankers that have originated at least 1,000 mortgages in New York State in each of the prior two calendar years may opt to designate the whole state as their assessment area.

Proposed new § 120.6 provides that DFS will conduct assessments using lending and service tests described in §§ 120.7 and 120.8 of the proposed regulation and that it will consider contextual factors in applying those tests.

Proposed new § 120.7 describes the lending test, which DFS shall use to evaluate a mortgage banker’s record of helping to meet the credit needs of its assessment area(s) through home mortgage lending activity. The test will take into account both originations and purchases of mortgage loans; the mortgage banker’s volume of lending activity and amount loaned; the proportion of mortgages the mortgage banker originates in its assessment area; the geographic distribution of the mortgage banker’s mortgage loans within its assessment area; the number and size of mortgage loans the mortgage banker makes in low-, moderate-, middle-, and upper-income geographies in its assessment area; the borrower characteristics of borrowers within the mortgage banker’s assessment area; if the mortgage banker uses, in a safe and sound manner, any innovative or flexible lending practices to address the credit needs of low- or moderate-income individuals or geographies, or underserved geographies; and whether the mortgage banker has engaged in any harmful practices that, for example, discourage application for or extension of credit to, or which may result in harm to, low- and moderate-income individuals. Proposed § 120.7 also provides that no mortgage banker may include a mortgage loan origination for consideration in its assessment if another mortgage banker or depository institution claims the same origination under Part 120, BL § 28-b or its implementing regulations, or the federal Community Reinvestment Act.

Proposed new § 120.8 describes the service test, which evaluates a mortgage banker’s record of helping to meet the credit needs of its assessment area(s) by analyzing the availability and effectiveness of the mortgage banker’s systems for delivering mortgage loan products and the extent and innovativeness of a mortgage banker’s community development services, community outreach, and educational programs.

Proposed new § 120.9 provides that DFS may be flexible in its considerations of a mortgage banker’s activities pertaining to owner-occupied housing where the gap between housing costs and area median income greatly restricts the affordability of owner-occupied housing for low- and moderate-income persons residing in the area.

Proposed new § 120.10 establishes that the compliance date for the new rule will be six months after the date of publication of the notice of adoption in the State Register.

Text of proposed rule and any required statements and analyses may be obtained from: Terry McMahan, Esq., Department of Financial Services, One State Street, New York, NY 10004, (212) 837-7314, email: Terry.McMahan@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: Banking Law (“BL”) §§ 9-d, 28-bb, 590, 596, and 597; Financial Services Law (“FSL”) §§ 202, 301, and 302; and § 296-a of the Executive Law.

BL § 9-d authorizes the Superintendent of Financial Services (“Superintendent”) to enforce Executive Law § 296-a.

BL § 28-bb (L.2021, c. 549), mandates that the Superintendent assess the record of mortgage bankers in helping to meet the credit needs of their entire communities, consistent with their safe and sound operation, and that the Superintendent consider that assessment when taking action on applications to the Department of Financial Services (“DFS”) from such mortgage banker. Among the criteria for consideration set forth in BL § 28-bb are “[a]ctivities conducted by the mortgage banker to ascertain credit needs of its community,” “[t]he geographic distribution of the mortgage banker’s credit extensions, credit applications, and credit denials,” and “[a]ny practices intended to discourage application for types of credit offered by the mortgage banker.” BL § 28-bb(5) authorizes the Superintendent to “promulgate rules and regulations effectuating the provisions of” BL § 28-bb.

BL § 590 authorizes the Superintendent to promulgate rules and regulations “consistent with the purposes of [BL Article 12-D], or appropriate for the effective administration of [BL Article 12-D].”

BL § 596 authorizes the Superintendent to examine mortgage bankers.

BL § 597 requires mortgage bankers to maintain books and records in a manner that enables the Superintendent to review to ensure compliance with applicable laws and regulations and to file annual reports in the form prescribed by the Superintendent. This section also authorizes the Superintendent to require the filing of additional reports.

FSL § 202 establishes the office of the Superintendent of Financial Services and provides the Superintendent with broad rights, powers, duties and discretion relating to matters under the FSL, BL, Insurance Law (“IL”), and “any other applicable law of this state.”

FSL § 301(a) states that the Superintendent shall have the powers conferred by the FSL, BL, IL, and any other State law that grants the Superintendent authority.

FSL § 302 sets forth the power of the Superintendent to prescribe, withdraw or amend regulations involving financial products and services that effectuate and interpret the provisions of the FSL, BL, IL, and “any other law in which the superintendent is given authority,” and “govern[] the procedures to be followed in the practice of the Department.”

Executive Law § 296-a describes unlawful discriminatory practices in which creditors may not engage and empowers the Superintendent “to issue appropriate orders to [a] creditor pursuant to the banking law,” upon the Superintendent’s “determination that [such] regulated creditor has engaged in or is engaging in discriminatory practices.” Section 296-a(9) obligates creditors to certify their compliance with Executive Law § 296-a when making certain applications to the Superintendent. Executive Law § 296-a(11) authorizes the Superintendent to promulgate regulations necessary to effectuate its purposes.

2. Legislative Objectives: This regulation will implement BL § 28-bb by establishing the rules according to which DFS will evaluate mortgage bankers as mandated by BL § 28-bb, an anti-discrimination and anti-redlining statute.

3. Needs and Benefits: In February, 2021, DFS published its Report on Inquiry into Redlining in Buffalo, New York (“Report”), which led to the passage of BL § 28-bb. “Redlining” refers to an array of illegal discriminatory practices relating to mortgage lending that include, among other things, mortgage lenders refusing to do business in a neighborhood based

on the population's racial or ethnic composition or imposing more onerous terms on mortgages for homes in a particular neighborhood in an unlawfully discriminatory fashion. Report, 1-2. The term "redlining" arises from the historical and now illegal practice by which lenders or real estate brokers would draw lines on maps around neighborhoods they would not serve at all or around areas in which they would not serve minorities. Report, 3. Mortgage lending discrimination has substantial negative societal impacts. As homeownership has long been a major source of financial stability and path for wealth building for New Yorkers and Americans generally, discrimination in mortgage lending inhibits the economic opportunity of negatively affected groups. Moreover, housing segregation is correlated with greater social vulnerability for those subject to discrimination, including decreased economic and educational opportunity and negative health outcomes. Id.

Until recently, banks originated most mortgages. In 2013, banks still originated 70% of new mortgages, but by 2019, mortgage bankers originated most new mortgages. Report, 14, n. 22. According to the Financial Stability Oversight Counsel's 2024 Report on Nonbank Mortgage Servicing ("FSOC Report"), in 2022, mortgage bankers originated about two-thirds of mortgages nationally. FSOC Report, 3.

Since the late 1970s, banks have been evaluated under both the Federal and New York State Community Reinvestment Acts ("CRA"), 12 U.S.C. § 2901 et seq. and BL § 28-b, anti-redlining laws that require regular assessments of banks' activity, including their mortgage lending, by Federal and State supervisors. CRA laws are part of a constellation of laws intended to prevent housing discrimination and its attendant harms. CRA assessments evaluate the extent to which covered banks serve the communities where they do business, including by lending to low- and moderate-income borrowers and in low- and moderate-income neighborhoods. Banks must maintain and report relevant data to regulators, and, to score well on assessments, ensure they are serving their whole communities. Banks dedicate resources to this effort for various reasons, including that regulators must consider these scores in making determinations on banks' applications to the regulators for certain expansionary and other activity and that scores on CRA evaluations are publicly available. Banks with strong CRA performance have also conveyed to DFS that such efforts benefit their business by allowing them to reach more customers. Report, 18-20.

Until the enactment of BL § 28-bb, no statute required a similar evaluation of mortgage bankers' lending activity in New York. The Report, detailing DFS' investigation of mortgage bankers in the Buffalo metropolitan statistical area ("MSA") and mortgage lending data for the MSA overall, underscored the need for the law. DFS found that, in the Buffalo MSA, mortgage bankers generally were lending at lower rates in majority-minority areas than depository institutions, and a few mortgage bankers that accounted for about 15% of the total mortgage lending in the MSA were lending overwhelmingly to white borrowers in majority-white neighborhoods and served minority borrowers and majority-minority areas at substantially lower rates than other lenders in the MSA. Report at 14-17. Additionally, overall lending patterns in the MSA tended to follow those established by redlining nearly a century earlier. Report, 6-8. However, for the mortgage bankers DFS investigated, DFS found this practice was not due to mortgage bankers' illegal rejection of applicants based on their race or ethnicity or any explicit policy not to offer mortgages for homes in certain areas. Rather, these mortgage bankers simply did not engage with potential minority borrowers, directed little or no marketing towards minority communities, and took no steps to track how well they were serving these potential customers and neighborhoods. These failures would likely negatively affect a CRA score were the mortgage bankers subject to CRA evaluation at that time. The mortgage bankers that DFS investigated eventually entered into agreements with DFS to remediate their poor performance. Id. DFS found similar patterns in the Syracuse and Rochester MSAs and published a report covering those regions, and reviewing the impact of recent illegal steering and historical restrictive covenants on Long Island. https://www.dfs.ny.gov/system/files/documents/2022/12/second_rpt_redlining_inquiry_20221208.pdf.

As stated in the sponsor's memo accompanying L.2021, c. 549, BL § 28-bb expanded CRA coverage to mortgage bankers with the goal of ensuring that where mortgage bankers do business, they are serving the whole community, including through lending to low- and moderate-income people and originating mortgages for homes in low- and moderate-income neighborhoods. This regulation is necessary to effectuate its purposes. Because BL § 28-bb is similar in form and, in part, in substance to BL § 28-b, the statute that applies CRA requirements to banks, DFS adapted 3 N.Y.C.R.R. Part 76, the CRA regulation that applies to banks, for the proposed rulemaking, as modes of implementation of the provisions of Part 76 are well established. However, DFS substantially tailored proposed Part 120 to the business of mortgage bankers by not including, for example, criteria and tests provided for by BL § 28-b but not BL

§ 28-bb and that are not relevant to mortgage bankers. DFS also reviewed CRA requirements applied to mortgage bankers in other states to refine the proposed regulation.

Without the provisions of this regulation, DFS will not be able to perform its statutory evaluation obligations.

4. Costs: Mortgage bankers regulated by DFS are already assessed for DFS' costs of examinations. DFS does not expect that CRA examination will significantly change the assessments on mortgage bankers.

Under proposed § 120.2(a), mortgage bankers must submit to DFS "each report and document which [they are] required to prepare and/or file with one or more Federal, State, or local agencies and which relates to the credit needs of its community" so that DFS can conduct its mandated evaluations. Under proposed § 120.2(b), mortgage bankers will also have to test their data for accuracy. DFS may request additional data as part of its assessment of a covered entity, and mortgage bankers may voluntarily supplement their data. Id., § 120.2(c). These requirements should not impose substantial additional expense.

DFS will evaluate covered mortgage bankers periodically. Thus, mortgage bankers will have to determine their assessment area(s) in accordance with proposed § 120.5 and, from time to time, staff will have to expend effort in facilitating DFS's evaluations. As part of an evaluation, DFS may require written responses to requests for documentation and information, interview mortgage banker personnel, and conduct site visits. Better performance can reduce expenses incurred in connection with evaluations. Under proposed § 120.4(a), mortgage bankers that have received an "outstanding" rating on their most recent evaluation (the highest rating) will be evaluated less frequently than those earning lower ratings, unless DFS has cause to conduct an evaluation earlier than planned. DFS expects costs of participation in an evaluation to vary among mortgage bankers depending on their size, business volume, and performance at meeting the credit needs of their entire community. All mortgage bankers already have experience with DFS's regular safety and soundness examinations.

A mortgage banker may, but will not be required to, expend resources to ensure it is serving its whole community by offering informational programs, developing new products, and expanding the reach of its advertising. The mortgage banker's expenses may consequently be offset by resulting business growth.

5. Local Government Mandates:

The proposed rule imposes no local government mandates.

6. Paperwork:

DFS expects reporting paperwork pursuant to proposed § 120.2 to be minimal as compliance will primarily require submission of data already collected and maintained by mortgage bankers. Periodic evaluations will involve some additional paperwork. DFS may also request additional data as part of its assessment under the proposed rule, and mortgage bankers may, under proposed § 120(c), supplement their data at their option.

7. Duplication:

The proposed rule does not duplicate any Federal or State statute or rule, and covered entities will rely substantially on data that they must already prepare, as noted in item 4 above.

8. Alternatives:

DFS must implement BL § 28-bb; the statute offers no alternative. Consistent with legislative intent expressed in the bill memo for L.2021, c. 549, the proposed rule is modeled on Part 76, which implements BL § 28-b, the CRA for banks, but tailored substantially to the mortgage banking business. Part 76 has been in use for decades.

The Department posted a draft of this regulation on its website for 10 days to solicit comments from small businesses that might be affected. DFS received two comments but does not believe that any changes are necessary.

9. Federal Standards:

There are no applicable Federal standards.

10. Compliance Schedule:

Covered mortgage bankers will have six months to comply following publication of the Notice of Adoption of this proposal in the State Register.

Regulatory Flexibility Analysis

1. Effect of rule: This rule will apply to mortgage bankers licensed under Banking Law ("BL") Article 12-D that have originated 200 or more mortgages in New York State in the immediately prior calendar year. State Administrative Procedure Act ("SAPA") § 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." The Department of Financial Services (DFS) estimates based on its licensee data that 66 of the 140 DFS-licensed mortgage bankers maintain branches in New York State. DFS estimates that of those 66 licensees, 41 are headquartered in the State, and 23 of those may be small businesses under the definition provided by SAPA § 102(8).

This rule will not apply to any local government.

2. Compliance requirements: Compliance with this regulation will

require all covered licensed mortgage bankers, including those that are also small businesses, to submit data that they already collect for other purposes to the Department of Financial Services (“DFS”) and to undergo periodic evaluations by DFS. Under proposed § 120.2(a), they must submit to DFS “each report and document which [they are] required to prepare and/or file with one or more Federal, State, or local agencies and which relates to the credit needs of its community.” Under proposed § 120.2(b), mortgage bankers must ensure the data they report is accurate. From time to time, pursuant to BL § 28-bb, DFS will conduct evaluations of covered entities, and such evaluations will require covered entities to set their assessment area(s), submit written responses to requests for documentation and information, and otherwise participate in the evaluation process.

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

3. Professional services: This regulation’s primary requirements of mortgage bankers are that they submit materials to DFS that they already prepare for other purposes and ensure the accuracy of the data in those materials and participate in the evaluation process so that DFS can conduct the evaluations required by BL § 28-bb. Because mortgage bankers will not be required to generate new reports, and because they already have experience with DFS examinations pursuant to BL Article 12-D, DFS does not expect that covered entities, whether or not they are small businesses, will need additional professional services to comply.

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

4. Compliance costs: DFS does not expect that covered mortgage bankers, including those that are small businesses, will incur capital costs to come into compliance with this rule. As noted above, the key requirements of the rule with respect to covered mortgage bankers is that they submit to DFS materials they already prepare and submit to other government entities so that DFS can review their lending activity and participate as needed in their periodic evaluations. DFS expects the costs of submitting existing materials to be minimal. Participation in evaluations will require resources to gather records and answer requests for documents and information. Mortgage bankers already have related experience with safety and soundness examinations that DFS conducts pursuant to BL Article 12-D.

There are no compliance costs for local governments because the proposed rule will not apply to local governments.

5. Economic and technological feasibility: DFS has concluded that compliance with this rule by small businesses is technologically and economically feasible because the rule chiefly relies on the submission of data already collected by covered mortgage bankers to DFS and participation in evaluations, and all covered entities already have experience being examined by DFS pursuant to Banking Law Article 12-D.

No economic or technological feasibility concerns exist with respect to local governments because the proposed rule will not apply to any local government.

6. Minimizing adverse impact: DFS does not expect that this rule will adversely impact small businesses economically, and it may help small businesses grow. Following SAPA § 202-b, DFS has designed this rule to avoid adverse impact to mortgage bankers, including those that are small businesses, in several ways. As noted throughout this proposal, DFS has determined that it can generally perform its obligations under BL § 28-bb without requiring covered mortgage bankers to create new reports to submit to DFS; rather, the rule requires submission of materials already generated by the mortgage bankers to submit to other government agencies. DFS may require written responses to information requests as part of its mandated periodic evaluations. Furthermore, the performance tests that constitute the basis for DFS’s evaluation of covered mortgage bankers account for the size and location of the entity being evaluated. For example, proposed § 120.6 provides that performance will be evaluated in the context of the “mortgage banker’s product offerings and business strategy,” “the mortgage banker’s institutional capacity and constraints,” and “the mortgage banker’s market share in its assessment area.”

Mortgage bankers that originate fewer than 200 mortgages in a year will not be subject to evaluation by DFS under the proposed rule, thus excluding those entities more likely to be resource constrained while ensuring that over 90% mortgage lending in New York is evaluated regularly. (DFS has longstanding authority under BL § 596 and FSL §§ 301 and 404 to examine or investigate any licensed mortgage banker, regardless of its size, to determine if it has acted illegally and to obtain information the Superintendent may need for other supervisory or investigatory purposes.) Relatedly, because Part 76 is a well-known regulation and has been in effect for many years, using it as a model for proposed Part 120 means that entities preparing to comply with Part 120 will be able to rely on common understandings of terms in the industry and find models for compliance.

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

7. Small business and local government participation: DFS complied with SAPA § 202-b(6) before publishing this proposal by soliciting input from industry participants before drafting the proposed rule and by posting a draft of the proposed rule on its website and notifying trade organizations that represent the interests of small businesses that the draft proposed rule had been posted. DFS also will comply with SAPA § 202-b(6) by publishing the proposal in the State Register and posting the proposed amendment on its website again.

DFS has not engaged with local governments because the proposal does not apply to local governments.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Pursuant to the mandate imposed by the Legislature, this rule will apply statewide to mortgage bankers licensed under Banking Law Article 12-D, that have originated 200 or more mortgages in New York State in the immediately prior calendar year. Mortgage bankers operate throughout the State, though not all licensed mortgage bankers maintain offices or branches in the State. There are no rural areas that are specifically affected by or excluded from coverage of the proposed regulation. The Department of Financial Services (DFS) has estimated that the 140 mortgage bankers licensed by DFS maintain 793 branches nationally and 323 branches in New York State. Of those 323 New York State branches, DFS estimates that 51 are in rural areas as defined by Executive Law § 481(7). Those 51 branches are associated with twelve licensed mortgage bankers, eleven of which also maintain branches in non-rural areas of New York State.

2. Reporting, recordkeeping and other compliance requirements; and professional services: Compliance with this regulation will require all covered mortgage bankers, including those located in rural areas, to submit data that they already collect for other purposes to DFS and to undergo periodic evaluations by DFS. Under proposed § 120.2(a), they must submit to DFS “each report and document which [they are] required to prepare and/or file with one or more Federal, State, or local agencies and which relates to the credit needs of its community.” Under proposed § 120.2(b), mortgage bankers must ensure the data they report is accurate. From time to time, pursuant to BL § 28-bb, DFS will conduct evaluations of covered entities, and such evaluations will require covered entities to set their assessment area(s), submit written responses to requests for documentation and information, and otherwise participate in the evaluation process. DFS does not expect that the proposed regulation’s reporting and recordkeeping requirements will affect covered mortgage bankers in rural areas differently than covered mortgage bankers in non-rural areas or create a need for professional services different from that of mortgage bankers in non-rural areas, if any need is created at all. All covered mortgage bankers will be required to submit materials they already prepare for other purposes and participate in evaluations. Like their non-rural counterparts, mortgage bankers in rural areas already have experience with DFS examinations pursuant to BL Article 12-D.

3. Costs: DFS does not expect that covered mortgage bankers, including those located in rural areas, will incur significant costs to come into compliance with this rule because, as noted above, the main requirements of the rule with respect to covered mortgage bankers is that they submit to DFS materials they already prepare and submit to other government entities for evaluation by DFS and participate in periodic evaluations by answering requests for information with written responses and by gathering and submitting records. Participating in evaluations will demand resources, but mortgage bankers already have related experience with safety and soundness examinations that DFS conducts pursuant to BL Article 12-D.

4. Minimizing adverse impact: DFS does not expect that mortgage bankers in rural areas will be adversely impacted by the proposed rule. The proposed rule does account for variable factors that may relate to the area a covered mortgage banker operates in, providing that performance evaluations shall take into account, “demographic data including median income levels, distribution of household income, housing data, and any other relevant data pertaining to a mortgage banker’s assessment area(s),” “the performance of all mortgage lenders. . . in the mortgage banker’s assessment area(s),” “lending and service opportunities in the mortgage banker’s assessment area(s),” “institutional capacity and constraints,” and “market share in its assessment area.”

5. Rural area participation: To the extent mortgage bankers in rural areas also small businesses, they have received advance notice of the proposal’s publication, as well as the opportunity to review a draft of and comment on a draft proposal posted on the DFS website before publication of the notice of proposed rulemaking in the State Register. DFS also makes efforts to ensure that covered entities throughout the State are aware of this proposal and their opportunity to comment.

Job Impact Statement

The Department of Financial Services (DFS) does not expect the proposed regulation to have a substantial adverse impact on jobs and

employment opportunities. The proposed regulation, in accordance with the intent and mandate of BL § 28-bb, establishes the rules and processes by which DFS will perform evaluations of mortgage bankers' service to their communities, including through lending to low- and moderate-income people and originating mortgages for homes in low- and moderate-income neighborhoods.

To comply with this regulation mortgage bankers will have to submit data that they already collect for other purposes to DFS and test their data for accuracy. DFS may request additional data as part of its assessment of a covered entity, and mortgage bankers may voluntarily supplement their data. Mortgage bankers will have to set their assessment area(s) and, from time to time, dedicate resources to facilitating DFS's evaluations, including by preparing written responses to requests for documentation and information. DFS expects costs of compliance and staffing needs to vary among mortgage bankers depending on their size and volume of business, though all covered mortgage bankers already have experience with DFS's regular safety and soundness examinations.

Mortgage bankers may, but will not be required to, engage in new efforts to ensure they are serving their whole community, such as by offering new products, expanding marketing activities, and putting on additional community-oriented informational programs. In addition, mortgage bankers may improve their performance on Community Reinvestment Act evaluations by increasing their lending activity in low- and moderate-income geographies and to low- and moderate-income individuals, which may increase lending overall. The proposed regulation therefore may generate new jobs.

Office of Mental Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Incident Management Programs

I.D. No. OMH-05-25-00001-P

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

Proposed Action: Amendment of Part 524 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09, 7.21, 29.29, 31.04, 31.11 and 33.25

Subject: Incident Management Programs.

Purpose: To ensure behavioral health providers develop and implement effective incident management programs.

Substance of proposed rule (Full text is posted at the following State website: https://omh.ny.gov/omhweb/policy_and_regulations/): • Updated language throughout to conform with changes in naming conventions, including:

- o replacing gendered pronouns with gender neutral pronouns,
- o updating State agency names.
- 14 NYCRR Part 524.4 General Definitions.
 - o Added a definition for human trafficking to mean a crime that involves compelling or coercing a person to provide labor or services, or to engage in commercial sex acts. Such coercion can be subtle or overt, physical, or psychological. Clarifies that exploitation of a minor for commercial sex is human trafficking, regardless of whether any form of force, fraud, or coercion was used.
 - Section 524.5. Incident category definitions
 - o Provides a definition for choking to mean an event where a patient is unable to breathe as a result of ingestion of food or other foreign object, requiring a physical intervention (i.e. Heimlich Maneuver) resulting in serious injury or harm or admission to a hospital, or where there is a written directive for such patient concerning risk of choking in place at the time of the event.
 - o Provides a definition for inappropriate use of restraint or seclusion to include the use of restraint, as defined in Part 526.4, that is inappropriate because it was implemented without a valid physician's order or in a manner that was otherwise not compliant with applicable State or Federal regulations, but which does not rise to the level of physical abuse, as defined in this section or the use of seclusion, as defined in Part 526.4, that was unauthorized because it was implemented without a valid physician's order or in a manner that was otherwise not compliant with applicable State or Federal regulations.
 - o Provides a definition for human trafficking to include a patient of

an inpatient or residential youth program, while on authorized leave or pass from the program.

- o Removes definition of mistreatment.
- o Defines overdose to mean when a patient consumes an amount of a substance (e.g., prescription, over-the-counter, legal, or illegal) which is not intended to cause their own death, but results in serious injury or harm.
- o Defines reasonable cause to suspect to mean that based on all the evidence, facts, and circumstances known or readily available, it is rational to think a Reportable Incident may have occurred. Reasonable cause to suspect is a judgment about a statement, not about the condition, competency, or credibility of a patient.
- o Redefines sexual assault to include nonconsensual sexual contact including the deliberate touching of a patient's intimate body parts, or clothing covering those body parts, or using force to cause self-touching by another patient of intimate body parts, or contact, that results in vaginal, anal, or oral penetration; any sexual contact between a person who is 18 years old or more and a person who is less than 15 years old, or between a person who is 21 years of age or older and a person who is less than 17 years old; or any sexual contact which involves a patient who is deemed incapable of consent.
- o Clarifies that sexual contact between children means vaginal, anal, or oral penetration by patients under age 18.

o Amends wrongful conduct to include activity of a sexual nature involving a patient and a custodian; or activity of a sexual nature involving a patient that is encouraged by a custodian to include social media. Adds the removal of a patient from regular programming and isolate them in an area for the convenience of a custodian or as a substitute for programming; and any intentional administration to a patient of a prescription drug or over-the-counter medication which is not in substantial compliance with a physician's, dentist's, physician's assistant's, specialist's assistant's, or nurse practitioner's prescription.

- Section 524.6. Incident management program
 - o Is amended to provide that at a minimum, incident management programs shall consist of a written incident management plan which shall include the identification, review, and documentation of incident patterns and trends.
- Section 524.7. Incident reporting requirements
 - o Adds choking and inappropriate use of restraint or seclusion to the list of significant incidents when they occur on program premises.
 - o Adds OMH only reportable incidents which must be reported to the office in accordance with the provisions of Part 524.10 to include: crimes in the community; missing subject of assisted outpatient treatment (AOT) order; of-site suicide attempt; death of an individual receiving outpatient mental health services; or human trafficking.
- Section 524.8. Incident reporting procedures
 - o Clarifies that incident management programs shall include procedures for promptly reporting incidents including OMH reportable incidents and that providers are responsible for immediately notifying OMH within 24 hours of discovery of such incident.
 - o Clarifies that policies will be developed to address where patients have a demonstrated pattern of frequently reporting allegations of abuse or neglect and there is no reasonable cause to suspect that an incident occurred.
 - o Clarifies that providers must establish a dedicated electronic mailbox to receive incident notifications to act on issues, including requests from the office, in a timely manner.
- Section 524.9. Incident investigation, corrective action, and records maintenance
 - o Clarifies that as soon as a provider of services is made aware that an allegation of abuse or neglect has been reported to the Justice Center, or a patient death has occurred, such provider is responsible for immediately conducting any assessment or review that may be necessary, provided, that witness statements, interviews, interrogations and written statements shall not be taken by anyone other than the designated investigating entity.
 - o Clarifies that death reports must be submitted to the Justice Center and the Office within five business days of incident or discovery of incident and may be reopened and updated upon receipt of an autopsy report.
- Section 524.10. Additional incidents reportable to the Office of Mental Health
 - o Clarifies that State operated or licensed mental health providers must immediately notify the office, of OMH-only reportable incidents when they occur off the premises of the facility or program or when the patient was not under the intended or actual supervision of a custodian.
- Section 524.11. Patient death reporting
 - o Clarifies that the Justice Center Medical Review Board must be notified through the Justice Center's Vulnerable Persons' Central Register Death Reporting Unit, of the death of a patient of a State operated or licensed mental health provider who was enrolled in or receiving services from a Comprehensive Psychiatric Emergency Program, Inpatient, or Res-

idental program at the time of the death, or whose death occurred within 30 days of discharge from such programs.

- o Clarifies that death reports from an Outpatient program must be made in accordance with Part 524.10.

- Section 524.12. Other required notifications

- o Updates provider procedures to assure notification to patients, family, or personal representatives occurs.

- o Provides that upon admission patients and qualified persons shall be informed in writing of their rights to receive information pursuant to Mental Hygiene Law sections 33.23 and 33.25.

- o Clarifies that where an incident affects a patient’s health or safety, or a reportable incident occurs involving an allegation of abuse or neglect, wrongful conduct, missing patient, or death, the agency must provide telephone notice to a qualified person, as defined in paragraph six of subdivision (a) of section 33.16 of the Mental Hygiene Law, within 24 hours of the initial reporting of an incident. Notice must not be provided where: the qualified person is the alleged abuser, there is written advice from the qualified person that they object to receiving such notification and the person receiving services is a capable adult who objects to such notification being made.

- o A qualified person may request a copy of the written incident report, provided that the names and other personally identifiable information of patients and employees are redacted unless patients and employees authorize such disclosure; an opportunity to meet to discuss the incident; and receive within 10 days a written report on the actions taken to address the incident.

- o Qualified persons may request in writing, records and documents related to reportable incidents including the results of the investigation within 21 days of either the conclusion of the investigation or the written request, whichever is later with appropriate redactions.

- o Clarifies that incidents or allegations reported to the Justice Center, are not deemed to be serving a quality assurance function as defined by Social Services Law section 490(b).

- o Clarifies that providers must maintain documentation including telephone notice and responses received, including the identity and position of the person providing the notice, the name of the person receiving the notice, the time of the original call or attempted call, the time of subsequent attempted calls if the initial call was not successful and the time of follow up calls if the notice occurred in more than one call; any requests for a meeting or the initial incident/occurrence report; meetings held in response to the request, and those present; a copy of the report on actions taken and any initial incident/occurrence report (with redaction) that was given to the qualified person; and advice that a particular qualified person does not want to receive notifications or that the capable adult receiving services objects to notice or objects to the provision of documents/information.

- o Provides for an administrative appeal process for qualified persons who are denied access to records.

- Section 524.13. Analysis, review, and monitoring of incidents

- o Clarifies the incident review committee to permit a State oversight agency to allow a facility or provider agency’s incident review committee: to be shared with another facility or provider agency or performed by another facility or provider agency on its behalf where a facility or provider agency is co-located within another organization or agency, or is part of a larger organization or agency, or has a larger “parent” or “umbrella” organization or agency

- o Provides that the composition of an incident review committee must be such that a free and open exchange of information is ensured, in order to facilitate full and complete investigations. Requires committee membership to include: members of the governing body of the mental health provider; persons identified by the director of such provider, including direct support staff, licensed health care practitioners; service recipients; and representatives of family, consumer, or advocacy organizations.

- o Clarifies the incident review committee must include a licensed health care practitioner (e.g. physician, physician assistant, nurse practitioner, or registered nurse), on a regular membership or ad hoc basis to participate in review of all medically related incidents.

- o Provides that the scheduling of incident review committee meetings shall in no way preclude the prompt and thorough review of each incident and requires meetings within 45 days of acceptance of the report by the Justice Center and/or the office, or sooner, should the circumstances so warrant, but no less frequently than on a quarterly basis.

- Section 524.14. Special investigations

- o Adds to the list of incidents, where the mental health provider shall ensure that a special investigation is completed to include Inappropriate use of restraint or seclusion; and financial exploitation.

- Section 524.15. Employee code of conduct and training

- o Clarifies that directors of mental health providers shall ensure that all employees who are mandated reporters shall receive training in the fol-

lowing areas upon hire and at least on an annual basis: abuse prevention, identification, reporting, and processing of allegations of abuse and neglect; laws, regulations and policies/procedures governing protection from allegations of abuse and neglect; and incident reporting and processing.

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

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

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

Regulatory Impact Statement

1. Statutory Authority: Section 7.07 of the Mental Hygiene Law gives the Office of Mental Health the responsibility for seeing that persons with mental illness are provided with care and treatment. Sections 7.09 and 31.04 of the Mental Hygiene Law grant the Commissioner of Mental Health the authority and responsibility to adopt regulations that are necessary and proper to implement matters under his or her jurisdiction. Section 7.21 of the Mental Hygiene Law requires directors of facilities operated by the Office of Mental Health to investigate, or cause to be investigated, every reportable incident in accordance with Article 11 of the Social Services Law. Section 29.29 of the Mental Hygiene Law requires the establishment of uniform standards and procedures for the compilation and analysis of incident reports in facilities operated by the Office of Mental Health. Section 31.11 of the Mental Hygiene Law requires programs licensed by the Office of Mental Health to notify the district attorney or other law enforcement official and the Commissioner or his or her authorized representative if it appears that a crime may have been committed against a patient. Section 33.25 of the Mental Hygiene Law requires the release of records and documents pertaining to allegations and investigations of abuse or neglect to qualified persons. Section 556 of the Executive Law provides the Justice Center the authority to make recommendations of preventive and remedial actions to the Office of Mental Health in response to investigations of allegations of abuse or neglect involving patients. Sections 490, 491 and 492 of the Social Services Law requires the Office of Mental Health to promulgate regulations governing the development of incident management programs and require the reporting of allegations of abuse and neglect and significant incidents to the Vulnerable Persons’ Central Register.

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 updates made to the regulation changes language to be consistent with the Protection of People with Special Needs Act (PPSNA), it clarifies requirements surrounding Jonathan’s Law, new incident types and reorganization of the sections to provide a logical flow.

3. Needs and Benefits: The purpose of this Part is to ensure that providers of mental health services develop and implement effective incident management programs in order to protect the health and safety of patients and enhance their quality of care. The changes are related to an audit by the Office of the State Comptroller which found that OMH and OPWDD providers needed to enhance compliance with Mental Hygiene Law 33.23 and 33.25. The regulations failed to provide enough direction for compliance. Incident management programs include the components of effective abuse protection; the classification of incidents; tracking and trending of incidents; and implementing effective actions to protect individuals served from harm. Suggested amendments were developed based upon feedback from various providers of services, State oversight agencies and family input. Amendments to the regulation include adding incident types such as choking, overdoses, human trafficking that allow OMH to collect data on these important issues, language was modified to use pronouns and provided consistency with terms used in the PPSNA, reorganized the sections in the regulation to improve the flow, provides expectations for providers to review incident trends to identify areas for improvement through use of databases.

4. Costs:

Cost to State government: There are no new costs to State or local government as a result of these amendments. There should be no additional costs as the changes will be integrated into the New York State Incident Management and Reporting System (NIMRS) database. Additional time will be required of providers to improve the documentation of their efforts to comply with Mental Hygiene Law sections 33.23 and 33.25 including time required to meet with impacted families, which is currently statutorily required. It should be noted that the mandates for documentation and the provisions of reports required for Jonathan’s Law have been built into NIMRS.

5. Local Government Mandates:

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

6. Paperwork: There may be additional reporting requirements for some

providers, but such reporting will be generated through provider accessible databases.

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

8. Alternatives: The only alternative considered to the proposed amendment was to leave Part 524 as is currently written. The proposed amendments conform the regulation to current statutory authority and provide additional clarification. Without such amendments, there would be conflict between the regulation as written and the enacting statute. Many of the changes suggested have been developed based upon feedback from various providers of services, State oversight agencies and family input. These changes aim to improve the reporting process and provide clarity to the requirements.

9. Federal Standards: There are currently no federal standards specific to the provision of these services.

10. Compliance Schedule: The amendments would be effective upon publication of a Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

The proposed amendments to 14 NYCRR Part 524 are intended to clarify basic reporting requirements for all licensed providers of services licensed or operated by the Office of Mental Health. There will be no adverse economic impact on small businesses or local governments as a result of these amendments.

Rural Area Flexibility Analysis

The proposed amendments to 14 NYCRR Part 524 are intended to clarify basic standards and parameters for reporting, analyzing and moderating incidents. The proposed rule will not impose any adverse economic impact on rural areas; therefore, a Rural Area Flexibility Analysis is not necessary with this notice.

Job Impact Statement

The amendments to 14 NYCRR Part 524 are intended to clarify basic standards and requirements for incident reporting. There will be no adverse impact on jobs and employment opportunities as a result of these amendments, therefore a Job Impact Statement is not necessary with this notice.

Department of Motor Vehicles

NOTICE OF ADOPTION

ATV — Safety Courses and Safety Certificates

I.D. No. MTV-42-24-00010-A

Filing No. 67

Filing Date: 2025-01-16

Effective Date: 2025-02-05

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

Action taken: Amendment of section 103.6 of Title 15 NYCRR.

Statutory authority: Vehicle and Traffic Law, sections 215(a), 2402 and 2409

Subject: ATV — Safety Courses and Safety Certificates.

Purpose: Establish All Terrain Vehicle (ATV) information, safety, education and training programs and the issuance of ATV safety certificates.

Text or summary was published in the October 16, 2024 issue of the Register, I.D. No. MTV-42-24-00010-P.

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

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

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2030, which is no later than the 5th year after the year in which this rule is being adopted

Assessment of Public Comment

Comment: On October 16, 2024, the Department published a proposed amendment to 15 NYCRR 103.6 in the New York State Register. During the ensuing public comment period, the Department received one comment which was supportive of the proposed amendment and recommended additional statutory and regulatory changes which were beyond the scope of the proposed amendment.

Response: The Department considered the comment and appreciates the support for the proposed amendment. No change to the proposed amendment was made as a result of this comment.

Public Service Commission

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Proposed Major Rate Increase in Liberty SLG's Gas Delivery Revenues by About \$2.2 Million (6.12% in Total Revenues)

I.D. No. PSC-05-25-00014-P

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

Proposed Action: The Commission is considering the proposed major rate increase filed by Liberty Utilities (St. Lawrence Gas) Corp. (Liberty SLG) to make changes in the rates, charges, rules and regulations as contained in its tariff schedule P.S.C. No. 1— Gas.

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

Subject: Proposed major rate increase in Liberty SLG's gas delivery revenues by about \$2.2 million (6.12% in total revenues).

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

Public hearing(s) will be held at: 10:30 a.m., May 6, 2025, and continuing daily as needed, at Department of Public Service, 19 Fl. Board Rm., 3 Empire State Plaza, Albany, NY. (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 Web Site (www.dps.ny.gov) under Case 24-G-0668.

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: The Commission is considering the proposed major rate increase, filed on November 27, 2024, by Liberty Utilities (St. Lawrence Gas) Corp. (Liberty SLG or the Company) to increase its gas delivery revenues for the rate year ending October 31, 2026, as contained in P.S.C. No. 1 – Gas.

Liberty SLG is requesting an increase in gas revenues of approximately \$2,174,020 (6.12 percent increase in total revenues, or 11.45 percent in delivery revenues). The requested increase in gas revenues results in a monthly bill increase of \$10.91 (11.3 percent increase on the total bill or 18.5 percent increase on the delivery portion of the bill) for a residential heating customer using 81 therms per month.

The Company indicates that its request for increased delivery revenue is being made to: recover increased operating costs associated with the Company's responsibility of providing natural gas distribution service in a safe and reliable manner; make capital investments to continue to provide the level of service expected and deserved by customers; and to advance the objectives of the New York State Climate Leadership and Community Protection Act, including the Company's commitment to further greenhouse gas emission reductions. The initial suspension period for the proposed filing runs through April 30, 2025.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-G-0668SP1)

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

Examine and Determine the Accuracy of All Apparatus for Testing and Proving the Accuracy of Water Meters

I.D. No. PSC-05-25-00010-P

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

Proposed Action: The Commission is considering a petition filed by Liberty Utilities (New York Water) Corporation to use the Ford Akron type test bench and Ford Indianapolis type test bench for water meter testing applications in New York State.

Statutory authority: Public Service Law, section 89-D

Subject: Examine and determine the accuracy of all apparatus for testing and proving the accuracy of water meters.

Purpose: To ensure that consumer bills are based on accurate measurements of water usage.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Liberty Utilities (New York Water) Corporation on September 26, 2024, seeking authorization to use the Ford Akron type test bench and Ford Indianapolis type test bench for water metering testing applications in New York State.

The Commission requires that water meter testing equipment conform to the requirements of 16 NYCRR Part 500 and be approved by the Commission pursuant to 16 NYCRR § 500.3 before being used for customer billing purposes.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-W-0547SP1)

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

Petition to Submeter Electricity and Waiver of Energy Audit

I.D. No. PSC-05-25-00011-P

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

Proposed Action: The Commission is considering the petition of Bedford Beverly 2359 LLC to submeter electricity at 158 Lott Street, Brooklyn, New York and request for waiver of the requirement of an energy audit pursuant to 16 NYCRR section 96.5(k)(3).

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

Subject: Petition to submeter electricity and waiver of energy audit.

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

Substance of proposed rule: The Commission is considering the petition filed by Bedford Beverly 2359 LLC (Owner) on November 1, 2024, seeking authority to submeter electricity at a new rental building consisting of 95 rental units, consisting of 29 income-eligible units and 66 market-rate units, located at 158 Lott Street, Brooklyn, New York, in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Owner also requests waiver of 16 NYCRR § 96.5(k)(3), the requirement for an energy audit for buildings where 20 percent or more of the residents receive income-based housing assistance because the building is subject to the New York City Energy Conservation Code, which sets energy efficiency standards for new construction.

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

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

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-E-0617SP1)

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

Funding and Administration of an Innovation and Research Portfolio As Described in NYSERDA's Innovation & Research Proposal

I.D. No. PSC-05-25-00012-P

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

Proposed Action: The Commission is considering a proposal for funding and administration of an Innovation and Research portfolio for the years 2026-2030, as described in the Innovation and Research Proposal filed by NYSERDA on December 20, 2024.

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

Subject: Funding and administration of an Innovation and Research portfolio as described in NYSERDA's Innovation and Research Proposal.

Purpose: Consideration of proposal by NYSERDA for the funding and administration of an Innovation and Research portfolio.

Substance of proposed rule: The Public Service Commission (Commission) is considering a proposal filed by the New York State Energy Research and Development Authority (NYSERDA) for the funding and administration of a 2026-2030 Innovation and Research (I&R) portfolio. NYSEERDA requests that the Commission issue an order authorizing its proposal, which includes a funding request of \$394.3 million for the 2026-2030 program period and a performance monitoring and evaluation approach. The 2026-2030 I&R portfolio proposal states that it includes suggested modifications, improvements, and enhancements informed by past performance and lessons learned through past I&R activities and considers emerging needs identified through external research and market analysis.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm> For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(14-M-0094SP12)

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

Review Tariff Modifications Regarding Pole Attachment Charges

I.D. No. PSC-05-25-00013-P

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

Proposed Action: The Commission is considering a proposal filed by New York State Electric & Gas Corporation to modify its tariff schedule, P.S.C. No. 119 — Electricity, to update pole attachment charges.

Statutory authority: Public Service Law, sections 65, 66 and 119-a

Subject: Review tariff modifications regarding pole attachment charges.

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

Substance of proposed rule: The Commission is considering a proposal filed by New York State Gas & Electric Corporation (NYSEG) on December 18, 2024, to amend its electric tariff schedule P.S.C. No. 119 – Electricity.

NYSEG proposes to update the Wireline and Wireless Pole Attachment Rental Rate of its electric tariff to update the charges applicable to cable television system operators, competitive local exchange carriers, and wireless attachers. NYSEG's proposed tariff amendment would increase the annual rate for a wireline rental rate per pole attachment or a wireless rental rate per pole attachment per foot of occupied space from \$19.55 to \$28.59. NYSEG asserts that the rate used to determine the annual pole attachment charge is consistent with the federal formula for cable television attachments previously adopted by the Commission. The proposed amendment has an effective date of May 1, 2025.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-E-0714SP1)

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

Issuance of Long-Term Securities and Other Forms of Indebtedness

I.D. No. PSC-05-25-00015-P

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

Proposed Action: The Commission is considering a petition filed by Liberty Utilities (New York Water) Corp., requesting multi-year authority to issue up to \$130 million in new long-term debt securities.

Statutory authority: Public Service Law, section 89-f

Subject: Issuance of long-term securities and other forms of indebtedness.

Purpose: To assess the reasonableness of the requested authorization for issuance of long-term securities.

Substance of proposed rule: The Public Service Commission is considering whether to approve, deny, or modify, in whole or in part, a petition by Liberty Utilities (New York Water) Corp. referred to as (Liberty NYW), filed on January 9, 2025, for authorization of the issuance of long-term securities for permitted purposes. The issuance and sale by the Company of indebtedness payable at periods of more than one year are subject to Commission approval pursuant to Public Service Law Section 89-f and Title 16 of the New York Codes, Rules and Regulations Part 37. The Company requests authority to issue and sell unsecured long-term debt obligations having a maturity of more than one year, up to \$130 million aggregate principal, for purposes of (1) funding of capital expenditures, (2) rebalancing Liberty NYW's capital structure, and (3) for general working capital purposes. The Commission may adopt, reject, or modify, in whole or in part, the relief proposed and may resolve related matters.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm> For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(25-W-0037SP1)

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

Notice of Intent to Submeter Electricity

I.D. No. PSC-05-25-00016-P

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

Proposed Action: The Commission is considering the notice of intent of 249 East 62nd Street Condominium to submeter electricity at 249 East 62nd Street, New York, located in the Service Territory of Consolidated Edison Company of New York, Inc.

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

Subject: Notice of intent to submeter electricity.

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

Substance of proposed rule: The Commission is considering the notice of intent filed by 249 East 62nd Street Condominium, on November 19, 2024, seeking authority to submeter electricity at a new condominium building, with fair market rate units, situated at 249 East 62nd Street, New York, New York, Located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

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

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-E-0653SP1)

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

Proposal for Replacement of Con Edison’s Rider Q Program with Locational Variant Daily as Used Demand Pricing Rates

I.D. No. PSC-05-25-00017-P

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

Proposed Action: The Commission is considering a proposal filed by Consolidated Edison Company of New York Inc., to replace its Rider Q Standby Rate Pilot Program with new Locational Variant Daily As-Used Demand Pricing rates and associated draft tariff modifications.

Statutory authority: Public Service Law, sections 5, 65, 66 and 74

Subject: Proposal for replacement of Con Edison’s Rider Q program with Locational Variant Daily As-Used Demand Pricing Rates.

Purpose: To provide customers with locational variant daily as-used demand pricing.

Substance of proposed rule: The Public Service Commission (Commission) is considering the Rider Q proposal (Proposal) filed on October 18, 2024 by Consolidated Edison Company of New York, Inc. (Con Edison or the Company). The Proposal describes modifications to the Rider Q, a Standby Rate Pilot program, in compliance with the Commission’s directive in the Order Establishing Updated Storage Goal and Deployment Policy (2024 Energy Storage Order) issued on June 20, 2024 in Case 18-E-0130.

In the 2024 Energy Storage Order, the Commission directed Con Edison to file a proposal to reinstate Option B of its Rider Q program. Option B offers participants a location-based Daily As-used Demand Pricing rate option comprised of both a peak period and a four-hour period applicable during the summer months (Super-Peak Period). Specifically, the Commission directed Con Edison to include a re-opening of Option B, redesigned with appropriate Super-Peak Periods, subject to re-evaluation and potential adjustment based on modification to Commercial System Relief Program (CSRP) call windows.

In the Proposal, as directed in the 2024 Energy Storage Order, Con Edison: (1) proposes to eliminate Rider Q Option A of its Electric Tariffs P.S.C. No. 10 – Schedule for Electric Service, and P.S.C. No. 12 – Schedule for PASNY Delivery Service; (2) proposes to replace Rider Q Option B and implement new optional Locational Rates for non-mass market customers, which include new location-specific Daily As-Used Demand periods and associated charges; and (3) proposes to allow non-mass market customers to select their own level of Contract Demand. As part of the Proposal, Con Edison includes draft tariff amendments to implement the proposals described above. Finally, Con Edison requests authority to defer for later recovery approximately \$88,000 in necessary billing system modification costs associated with the proposals described above.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(18-E-0130SP19)

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

Waiver of the Requirements of Velocity Steam Meter Testing for 2023 and 2024

I.D. No. PSC-05-25-00018-P

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

Proposed Action: The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. (Con Edison) for waiver of the velocity steam meter testing requirements in 16 NYCRR section 400.6(b)(3) for 2023 and 2024.

Statutory authority: Public Service Law, sections 79(1) and 80

Subject: Waiver of the requirements of velocity steam meter testing for 2023 and 2024.

Purpose: To consider whether to provide relief from the velocity meter testing requirements due to testing facility shutdown.

Substance of proposed rule: The Public Service Commission (Commission) is considering an amended petition filed on December 30, 2024 by Consolidated Edison Company of New York, Inc. (Con Edison) seeking waiver of the annual velocity steam meter testing requirements in 16 NYCRR Section 400.6(b)(3) that would allow it to add the 2023 velocity meter testing shortfall to the testing requirement for 2024 and the 2024 velocity meter testing shortfall to the testing requirement for 2025.

Commission regulations require that steam utilities test twenty percent of velocity type steam meters each calendar year. Con Edison requests waiver of the velocity steam meter testing requirements for calendar year 2023 and to add the 2023 shortfall of tested meters to the 2024 requirement. It also requests waiver of the velocity steam meter testing requirements for calendar year 2024 and to add the 2024 shortfall to the 2025 testing requirement. Con Edison states the waivers are needed because the main vendor that supplies and tests velocity meters shut down to move to a new facility in December 2022. Although the Department of Public Service has since allowed the vendor to resume testing meters, the vendor has experienced delays and backlogs such that it has tested only 153 of the 605 velocity meters in 2023 and only 132 of the 603 velocity meters in 2024.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(23-S-0726SP2)

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

Review Tariff Modifications Regarding Pole Attachment Charges

I.D. No. PSC-05-25-00019-P

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

Proposed Action: The Commission is considering proposed tariff amendments filed by Rochester Gas and Electric Corporation, in P.S.C. No. 19 — Electric to update pole attachment charges.

Statutory authority: Public Service Law, sections 65, 66 and 119-a

Subject: Review tariff modifications regarding pole attachment charges.

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

Substance of proposed rule: The Commission is considering a proposal filed by Rochester Gas and Electric Corporation (RG&E) on December 18, 2024 to update the pole attachment rental rate in its service area.

RG&E is proposing to update its rental rates for a wireline pole attachment and wireless pole attachment from \$17.12 to \$36.05, per pole attachment. The proposal would affect cable television system operators, competitive local exchange carriers, and wireless attachers. RG&E developed the updated annual pole attachment rates based on the federal formula for cable television attachments previously adopted by the Commission. The proposed tariff amendment has an effective date of May 1, 2025.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-E-0715SP1)

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

Investment Targets and Operations of the Green Bank Program

I.D. No. PSC-05-25-00020-P

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

Proposed Action: The Commission is considering the New York State Energy Research and Development Authority (NYSERDA) proposal to modify the investment targets and operations of the NY Green Bank program as described in the petition filed on October 31, 2024.

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

Subject: Investment targets and operations of the Green Bank program.

Purpose: Consideration of proposal by NYSEERDA to modify the NY Green Bank operations and investment targets.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by the New York State Energy Research and Development Authority (NYSERDA) titled Petition Regarding the Performance of NY Green Bank and Authorization for Modifications, filed on October 31, 2024. NYSEERDA requests that the Commission issue an order authorizing modifications to New York Green Bank (NYGB) investment targets and operations, as well as a reaffirmation of several key elements of its operations.

Specifically, NYSEERDA seeks modification of the investment target and investment measurement for Disadvantaged Communities, as defined by the Climate Leadership and Community Protection Act. Additionally, NYSEERDA seeks to modify NYGB's sector-specific investment commitment targets and to continue its evaluation, measurement, and verification efforts using NYGB's earned income. Finally, NYSEERDA requests reauthorization of the NYGB selection process and role of its Advisory Committee, with a new emphasis on helping NYGB advance financial market transformation.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(13-M-0412SP4)

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

Petition to Submeter Electricity

I.D. No. PSC-05-25-00021-P

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

Proposed Action: The Commission is considering the petition of 170 E 83 Owner, LLC to submeter electricity at 170 East 83rd Street, New York, New York.

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

Subject: Petition to submeter electricity.

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

Substance of proposed rule: The Commission is considering the petition

filed by 170 E 83 Owner, LLC (Owner) on July 23, 2024, seeking authority to submeter electricity to a new rental building with fair-market and rent-stabilized units at 170 East 83rd Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, 170 E 83 Owner, LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: 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

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

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

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

(24-E-0436SP1)

Workers' Compensation Board

EMERGENCY RULE MAKING

Physical/Occupational Therapy Assistants

I.D. No. WCB-46-24-00021-E

Filing No. 70

Filing Date: 2025-01-21

Effective Date: 2025-01-21

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

Action taken: Amendment of section 329-1.3 of Title 12 NYCRR.

Statutory authority: Workers' Compensation Law, sections 117, 141 and 13-b

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

Specific reasons underlying the finding of necessity: This amendment is adopted as an emergency measure because bill A1204 (same as S6501) allowing treatment by physical therapy assistants and occupational therapy assistants takes effect on the thirtieth day after it is signed into law. In order to ensure a smooth implementation of the law and prevent delays in treatment and payment for treatment, for general health and safety of injured workers receiving treatment that could be provided by occupational/physical therapy assistants under this bill, the proposal is being filed as an emergency adoption and proposal to prevent delays in treatment and unnecessary billing disputes. This will provide guidance and clarity about which codes may be used for billing and procedures for billing when services are performed by physical therapy/occupational therapy assistants as soon as the law takes effect, and is being proposed as a permanent regulation as well to ensure public comments are taken into account so any necessary changes can be made before it is permanently adopted.

This second emergency adoption is to keep the proposal in effect from when the first emergency adoption expires until the permanent adoption is published in the State Register.

Subject: Physical/Occupational Therapy Assistants.

Purpose: To provide guidance about treatment by PT/OT assistants and implement amendment to section 13-b of the Workers' Compensation Law.

Text of emergency rule: A new subdivision (c) of section 329-1.3 of Title 12 NYCRR is hereby added to read as follows:

Section 329-1.3. Medical fee schedule; incorporation by reference

(a) The medical fee schedule for medical services shall be the Official New York Workers' Compensation Medical Fee Schedule, updated December 11, 2019, prepared by the board and published by OptumInsight, which is herein incorporated by reference.

(b) The Official New York Workers' Compensation Medical Fee Schedule incorporated by reference herein may be examined at the office of the Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231, the Legislative Library, the libraries of the New York State Supreme Court, and the district offices of the board. Copies may be purchased from OptumInsight, by writing to Official New York Workers' Compensation Fee Schedule, PO Box 88050, Chicago, IL 60680-9920; by telephone at 1-800-464-3649, option 1; or online at www.optum360coding.com keyword New York or <https://www.optum360coding.com/Product/40508/>

(c) *Physical Therapy Assistants (PTAs) and Occupational Therapy Assistants (OTAs) may provide services under the direct supervision of an authorized Physical Therapist (PT) or authorized Occupational Therapist (OT) respectively.*

(1) *When billing for PTA services, supervising authorized PTs must select codes from the Physical Medicine Section of the Official New York State Workers' Compensation Medical Fee Schedule that are permissible and within the scope of practice for PTAs using modifier CQ.*

(2) *When billing for OTA services, supervising authorized OTs must select codes from the Physical Medicine Section of the Official New York State Workers' Compensation Medical Fee Schedule that are permissible and within the scope of practice of OTAs using modifier CO.*

(3) *Services billed using the modifiers CQ or CO must be billed and paid at 85 percent of the amount payable for such services had they been performed directly by PTs and OTs. Clinical notes by PTAs must be cosigned by the supervising PT. Clinical notes by OTAs must be cosigned by the supervising OT. PTAs and OTAs may not provide services or bill for services independently.*

(4) *Nothing in this section shall change the maximum numbers of billable Relative Value Units (RVUs) for physical therapy and occupational therapy on any given date of service, as outlined elsewhere in the fee schedule. They are not increased or otherwise changed based on whether the services are provided by PTs, OTs, PTAs or OTAs.*

(5) *When services are performed by PTs and PTAs (or OTs and OTAs) on the same date of service, the services applied to the maximum number of RVUs on any given date of service shall be determined giving priority to services provided by PTs over those provided by PTAs, and services provided by OTs over those provided by OTAs.*

(6) *The ability of PTAs and OTAs to provide services under NYS Workers Compensation, and for supervising PTs and OTs to submit bills for said services, shall in no way expand or otherwise change the scope of practice or permissible activities for PTAs or OTAs by statute, and/or any applicable regulations promulgated by the New York State Education Department, New York State Department of Health, or the New York State Workers' Compensation Board. As such, it shall be impermissible for PTAs/OTAs to perform any services or activities otherwise reserved for PTs and OTs respectively, or for supervising PTs or OTs to bill for such services, and Current Procedural Terminology (CPT) codes must be selected accordingly.*

(i) *Examples may include, but are not limited to: a PTA is prohibited by section 6738(a) of the NYS Education Law from performing evaluation, testing, interpretation, planning or modification of patient/client programs; a PT conducts the initial evaluation and develops the plan of care, and the treatment may be provided by the PTA; PTAs and OTAs may not perform Functional Capacity Evaluations (FCEs).*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. WCB-46-24-00021-EP, Issue of November 13, 2024. The emergency rule will expire March 21, 2025.

Text of rule and any required statements and analyses may be obtained from: Courtney Vallee, Workers' Compensation Board, 328 State Street, Schenectady, NY 12305, (518) 486-9564, email: regulations@wcb.ny.gov

Regulatory Impact Statement

1. Statutory Authority: Workers' Compensation Law (WCL) § 117(1) and 142 authorizes the Chair of the Workers' Compensation Board (Board) to adopt reasonable rules consistent with, and supplemental to, the provisions of the WCL. Section 13-b of the WCL was recently amended to allow treatment by occupational and physical therapy assistants under the direct supervision of an authorized occupational or physical therapist.

2. Legislative Objectives: To establish clear regulatory guidelines about billing procedures when services are provided by occupational and physical therapy assistants under the direct supervision of an authorized occupational or physical therapist.

3. Needs and Benefits: Section 13-b of the WCL was recently amended to extend the ability to treat injured workers to physical therapy and occupational therapy assistants (under the direct supervision of authorized physical and occupational therapists) was signed into law using basic framework. This change allows more efficiency within the workers' compensation system by expanding services to be performed by physical therapy and occupational therapy assistants, but without regulations about billing, there would be confusion – as the bill does not allow physical therapy and occupational therapy assistants to be authorized under the workers' compensation system, but treat injured workers under the supervision of authorized physical or occupational therapists. The proposed regulations provide further clarity and guidance, specifically around billing and what codes should be used – these regulations are necessary to reflect the changes to the workers' compensation system introduced by this bill.

4. Costs: The proposed amendments should not impose significant costs. The proposal provides guidance and clarity to implement the statute, while avoiding costs outside what the law requires. By providing explicit guidance about billing and codes to be used, the cost of unnecessary litigation about billing disputes when services are rendered by physical therapy and occupational therapy assistants should be avoided. These regulations just provide clarity about billing and neither the statute nor the regulations require physical or occupational therapy assistants to treat injured workers – it simply permits them as an option.

5. Local Government Mandates: The proposed amendments do not impose any additional program, service, duty, or responsibility upon any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: The proposed amendments will require specific codes to be used in billing, but these are the same types of requirements already in place for every type of authorized treatment in the workers' compensation system.

7. Duplication: The proposal does not duplicate or conflict with any State or Federal requirements.

8. Alternatives: An alternative would be to not amend the regulation and not address this issue at all. However, without regulations in place to provide guidance and clarity, billing for when services are provided to injured workers by physical or occupational therapists would be difficult to implement, would increase paperwork and billing disputes, and lack of clarity could result in additional litigation.

9. Federal Standards: There are no applicable Federal Standards.

10. Compliance Schedule: All payers, as well as injured workers, and providers will need to comply with the proposed regulation upon publication of the Notice of Adoption in the State Register. The emergency adoption will take effect upon publication of the Notice of Emergency Adoption and Proposed Rule Making in the State Register and will align with the effective date of the statute (30 days after it is signed into law).

Regulatory Flexibility Analysis

The rule should not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments. The emergency adoption and proposal provides billing guidance when treatment is provided by a physical therapy or occupational therapy assistant as allowed (but not required) under the recent amendment to Workers' Compensation Law section 13-b.

Rural Area Flexibility Analysis

The rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on rural areas. The emergency adoption and proposal provides billing guidance when treatment is provided by a physical therapy or occupational therapy assistant as allowed (but not required) under the recent amendment to Workers' Compensation Law section 13-b.

Job Impact Statement

A Job Impact Statement is not required because the proposal will not have any impact on jobs or employment opportunities. The proposal establishes guidance about billing practices for physical therapy and occupational therapy assistants who will be allowed (but not required) to treat under the supervision of authorized physical and occupational therapists in accordance with the recent amendments to Workers' Compensation Law section 13-b.

Assessment of Public Comment

During the public comment period, the Board received three public comments.

All three of the comments questioned or disagreed with the 85% reimbursement rate for occupational therapy assistants and physical

therapy assistants. The NYS Workers' Compensation Board used a multifactorial methodology to arrive at the 85% reimbursement rate, which included, but was not necessarily limited to: benchmarking with other systems and payer types, such as nurse practitioners and physician assistants, as well as review of the various professional, educational, training and practice requirements for PTs, OTs, PTAs, and OTAs. Therefore, no change has been made in response to these comments.

One of the comments requested, if the 85% language is not removed, that additional clarification be added to match the nuances in the Medicare rule on this topic. The NYS WCB Fee Schedule and the Medicare Fee Schedule are separate and distinct. The Board believes that the more simplified "85%" language is better for both providers and payers, and therefore will be better for patients, as it will ultimately increase their access to quality care, so no change has been made in response to this comment.

Two of the comments also requested clarification about the use of "direct supervision" in the proposed regulation rather than "direction and supervision" like the bill uses.

The New York State Workers' Compensation Board believes that the language "direct supervision", rather than the proposed change to "direction and supervision" more accurately summarizes the letter and intent of the more comprehensive State Education Department guidance, and the Board strongly believes that injured workers must be afforded the same quality of care as any other patients, so no change has been made in response to these comments.

Changes made:

- None

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Facilities Corporation		
EFC-47-24-00009-RP.....	CWSRF Program Co-Administered by DEC and the NYS Environmental Facilities Corporation (EFC)	Environmental Facilities Corporation, 625 Broadway, Albany, NY—February 10, 2025, 5:30 p.m.
Environmental Conservation, Department of		
ENV-04-25-00005-P.....	Amendments to the Regulations (6 NYCRR Part 617) that Implement ECL Article 8 (State Environmental Quality Review Act)	Virtual via Webex—April 23, 2025, 2:00 p.m. Virtual via Webex—April 23, 2025, 6:00 p.m. 47-40 21st St., Rm. 834, Long Island City, NY—April 24, 2025, 6:00 p.m. Frank Merriweather Jr. Library, Buffalo, NY—April 30, 2025, 6:00 p.m.
ENV-05-25-00023-P.....	Recreational and Commercial Crab Management	Virtual—April 8, 2025, 6:00 p.m.
Housing and Community Renewal, Division of		
HCR-04-25-00002-P.....	Tax Credit Code Regulating Administration of a Federal Tax Credit for Owners of Housing for Persons of Low Income	641 Lexington Ave., New York, NY—March 31, 2025, 10:00 a.m. 38-40 State Street, Albany, NY—March 31, 2025, 10:00 a.m. See hcr.ny.gov/regulatory-information for more information.
Housing Finance Agency		
HFA-04-25-00004-P.....	Tax Credit Code Regulating Administration of a Federal Tax Credit for Owners of Housing for Persons of Low Income	641 Lexington Ave., New York, NY—March 31, 2025, 10:00 a.m. 38-40 State Street, Albany, NY—March 31, 2025, 10:00 a.m. See hcr.ny.gov/regulatory-information for more information.
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.
Public Service Commission		
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)* Central New York, Senator John H. Hughes State Office Building, Main Conference Rm., 333 East Washington St., Syracuse, NY—Wednesday, February 19, 2025, 1:00 p.m. and 6:00 p.m. (RAPID Act Public Comment Hearings)* Long Island (Suffolk County), Stony Brook University, Charles B. Wang Center Theater, 100 Nicholls Rd., Stony Brook, NY—Tuesday, February 25, 2025, 1:00 p.m. and 5:00 p.m. (RAPID Act Public Comment Hearings)* Southern Tier, Broome County Public Library, Decker Rm., 185 Court St., Binghamton, NY—Tuesday, February 25, 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)*

Hudson Valley, Town of Poughkeepsie Town Hall, One Overocker Rd., Poughkeepsie, NY—Thursday, 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)*

North Country (Plattsburgh), SUNY Plattsburgh, 106 Angell College Center, 2nd Fl., Warren Ballroom, 101 Broad St., Plattsburgh, NY—Wednesday, March 5, 2025, 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 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/r8efd425bc6b09a7327b99a2b6bfdd13a>, 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 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) under Case 24-M-0433.

Please note that these hearings not only regard the regulations but also include discussion on the Draft Generic Environmental Impact Statement, filed on December 18, 2024

Department of Public Service, 19th Fl. Board Rm., Three Empire Plaza, Albany, NY—May 6, 2025, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)*

*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 24-G-0668.

PSC-05-25-00014-P Proposed Major Rate Increase in Liberty SLG's Gas Delivery Revenues by About \$2.2 Million (6.12% in Total Revenues)

State, Department of

DOS-04-25-00020-P Variance and Appeals Procedures of the Uniform Code by the Department of State

99 Washington Ave., Rm. 505, Albany, NY—April 2, 2025, 10:00 a.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	00001	P

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

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

AGRICULTURE AND MARKETS, DEPARTMENT OF

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.
-------------------	----------------	--------------------	---

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-52-24-00003-P 12/24/25	Substance Use Disorder Residential Services	To Sunset Part 819 on February, 28, 2026.
-------------------	----------------	---	---

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
-------------------	----------------	--	--

AUDIT AND CONTROL, DEPARTMENT OF

AAC-05-25-00022-P 02/05/26	Accounting, reporting and supervision requirements for public authorities.	To update accounting and reporting requirements for public authorities.
-------------------	----------------	--	---

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
-------------------	----------------	---	--

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-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
CANNABIS MANAGEMENT, OFFICE OF			
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
CIVIL SERVICE, DEPARTMENT OF			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-46-24-00020-P	11/13/25	Jurisdictional Classification	To classify positions in the exempt class
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
CVS-01-25-00001-P	01/08/26	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-01-25-00002-P	01/08/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-25-00003-P	01/08/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-25-00004-P	01/08/26	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-01-25-00005-P	01/08/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-01-25-00006-P	01/08/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-01-25-00007-P	01/08/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-01-25-00008-P	01/08/26	Jurisdictional Classification	To classify positions in the exempt class
CVS-01-25-00009-P	01/08/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-25-00010-P	01/08/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-01-25-00011-P	01/08/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-01-25-00012-P	01/08/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-05-25-00003-P	02/05/26	Jurisdictional Classification	To classify positions in the exempt class.

Action Pending Index**NYS Register/February 5, 2025**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-05-25-00004-P	02/05/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-05-25-00005-P	02/05/26	Jurisdictional Classification	To classify a subheading and a position in the non-competitive class
CVS-05-25-00006-P	02/05/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-05-25-00007-P	02/05/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-05-25-00008-P	02/05/26	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-05-25-00009-P	02/05/26	Jurisdictional Classification	To classify positions in the exempt class.
CORRECTION, STATE COMMISSION OF			
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.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
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
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
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
EDUCATION DEPARTMENT			
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
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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
EDU-52-24-00005-P	12/24/25	State aid for library construction	To conform the Commissioner's regulations to Chapter 241 of the laws of 2024
EDU-52-24-00006-EP	12/24/25	Designation of a Deputy Commissioner of Education	Provide flexibility should the organization of the Department change in the future
EDU-52-24-00007-P	12/24/25	Relating to the requirements for licensure as an athletic trainer.	Allows for athletic trainers to be licensed professionals.
EDU-52-24-00008-P	12/24/25	Content Core Requirement for Additional Teaching Certificates in Certain Areas	Allow candidates who seek one or more additional teaching certificates in specified areas to complete 18 semester hours of study
EDU-52-24-00009-EP	12/24/25	Evidence-based and Scientifically Based Reading Instruction	To conform the Commissioner's regulations to Education Law § 818, which became effective April 1, 2024
EDU-52-24-00010-EP	12/24/25	Relating to the Application of topical fluoride varnish by Registered Dental Assistants	Allows additional health care professionals to apply fluoride varnish.
EDU-04-25-00018-P	01/29/26	Moral character of certificate holders.	Establishes process for interim suspension of an individual's teaching certificates if teacher/student relationship is violated.
EDU-04-25-00019-P	01/29/26	Standing Committee Name Change.	To conform to the Rules of the Board of Regents regarding the recent reorganization of Department Offices.
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-29-24-00006-P	09/17/25	criteria for the decommissioning of radioactive material licensed sites	ensure DEC's regulations are equivalent to and compatible with regulations of the Nuclear Regulatory Commission
ENV-32-24-00027-P	08/07/25	SPDES Incorporation by Reference	Update references that are incorporated into the State Pollutant Discharge Elimination System Permitting Program
ENV-32-24-00029-P	10/10/25	Revision and update of the list of endangered, threatened, and special concern species	To update the list of species in 6 NYCRR Section 182.5 to reflect the Department's best available scientific information
ENV-40-24-00001-P	12/05/25	Revisions to 6 NYCRR Parts 601 and 602 that implement ECL article 15, title 15 (Water Supply)	To add definitions; clarify requirements; establish and clarify permit exemptions; conform regulations to statutes
ENV-43-24-00014-P	01/08/26	Endangered and Threatened Species Mitigation Bank Fund	Promulgate rules governing the use of the Endangered Species Mitigation Bank Fund

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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
ENV-52-24-00001-P	12/24/25	Regulations governing commercial fishing for American Eel.	To amend commercial fishing regulations for American Eel.
ENV-04-25-00005-P	04/30/26	Amendments to the regulations (6 NYCRR Part 617) that implement ECL Article 8 (State Environmental Quality Review Act)	DEC's primary purpose is to amend the regulations to incorporate provisions of the Environmental Justice Siting Law
ENVIRONMENTAL FACILITIES CORPORATION			
EFC-47-24-00009-RP	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
ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON			
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
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value
DFS-08-24-00001-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-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.
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.
DFS-53-24-00002-P	12/31/25	Minimum Provisions for Automobile Liability Insurance Policies	To conform to statutory amendment regarding supplemental spousal liability insurance, and make technical fixes.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-05-25-00002-P	02/05/26	Compliance with Banking Law Section 28-bb	This rule implements the mandate of Banking Law Section 28-bb.
GAMING COMMISSION, NEW YORK STATE			
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.
SGC-53-24-00012-P	12/31/25	Mega Millions amendments	To permit the State's continued participation in the Mega Millions multi-jurisdiction lottery game
GAMING FACILITY LOCATION BOARD, NEW YORK			
GFB-31-24-00016-P	07/31/25	Minimum capital investment for additional gaming facility	To establish a minimum capital investment amount for additional gaming facilities
GFB-31-24-00017-P	07/31/25	License fee for additional gaming facility	To establish a license fee for additional gaming facilities
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-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-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
HLT-52-24-00002-P	12/24/25	Lead Poisoning Prevention Control	Outlines the targeted state rental registry&proactive lead safety inspections for rental units in dwellings with 2 or more units
HLT-04-25-00001-P	01/29/26	Trauma Centers - Nurse Reviewer	To change the requirement a nurse/nurse reviewer only be required for all first verification site visits for New York State

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
HCR-04-25-00002-P	03/31/26	Tax credit code regulating administration of a federal tax credit for owners of housing for persons of low income.	To implement changes to update and replace outdated terminology and conform with the Agency's current program administration
HOUSING FINANCE AGENCY			
HFA-04-25-00004-P	03/31/26	Tax credit code regulating administration of a federal tax credit for owners of housing for persons of low income.	To implement changes to update and replace outdated terminology and conform with the Agency's current program administration.
JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS			
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
LABOR, DEPARTMENT OF			
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.
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*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
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-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
MENTAL HEALTH, OFFICE OF			
OMH-15-24-00002-P	..... 04/10/25	Prior Approval Review Process	To update the Prior Approval Review Process
OMH-16-24-00001-P	..... 04/17/25	To clarify reimbursement methodologies	To provide for reimbursement methodologies which comply with parity laws
OMH-18-24-00001-P	..... 05/01/25	To provide programs the flexibility in the provisions of both medical and mental health services	To raise the limitation on the total number of annual visits for which a program licensed solely under Article 31 may provide
OMH-05-25-00001-P	..... 02/05/26	Incident Management Programs.	To ensure behavioral health providers develop and implement effective incident management programs.
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	..... exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-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
PDD-03-25-00001-P	..... 01/22/26	Dietitian definition and technical corrections	To correctly define dietitian
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-44-24-00002-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
PAS-52-24-00004-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and cost
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities

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

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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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 Gypsy Trail Club, Inc.'s long-term financing agreements	To exempt Gypsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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 and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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 Aspurity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement	To consider whether amending the SIC mechanism is in the public interest

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-41-23-00007-P	..... exempt	Gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-42-23-00011-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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
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-06-24-00007-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-07-24-00027-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00028-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00029-P	..... exempt	Energy efficiency and building electrification programs	To implement potential changes to building electrification program
PSC-07-24-00030-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs
PSC-07-24-00032-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00033-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-08-24-00006-P	..... exempt	Petition for termination of temporary operator role and cost recovery	To determine if termination of a temporary operator and recovery of costs is in the public interest
PSC-08-24-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
PSC-09-24-00009-P	..... exempt	Compensation of and incentives for distributed energy resources	To encourage the development of and ensure just and reasonable rates for distributed energy resources
PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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
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-21-24-00012-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-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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-24-00009-P	..... exempt	LPP replacement targets	To update LPP replacement mileage to reflect increasing cost while working within Corning's authorized budget
PSC-26-24-00010-P	..... exempt	BTU content levels	To reflect the BTU range during the non-heating months due to gas supplied by Corning's new renewable natural gas projects
PSC-27-24-00003-P	..... exempt	Net Metering Rules	To consider the proper treatment of banked remote net metering credits
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-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-30-24-00008-P	..... exempt	The Clean Energy Standard	To consider the proposals to modify the Clean Energy Standard for further achievement of State clean energy goals
PSC-31-24-00011-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-24-00038-P	..... exempt	Recommendations regarding the CGPP	To optimize the CGPP to ensure safe and adequate service at just and reasonable rates
PSC-33-24-00001-P	..... exempt	Customer required transformers and associated equipment	To establish provisions to ensure safe and reliable service for all customers
PSC-33-24-00002-P	..... exempt	Proposed transfer of water utility's capital stock	To determine if the proposed transfer is in the public interest
PSC-34-24-00005-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-34-24-00008-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-34-24-00012-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-35-24-00005-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-36-24-00008-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-38-24-00003-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-38-24-00005-P	..... exempt	To review a pilot proposal and associated budgets	To assess whether the proposed pilot program impact is in the public interest
PSC-39-24-00001-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-39-24-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-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
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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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
PSC-52-24-00011-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-24-00012-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any potential electric transmission needs for referral to the NYISO to solicit, evaluate, and select solutions for.
PSC-52-24-00013-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-24-00014-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin.	To ensure adequate levels of installed capacity.
PSC-52-24-00015-P	..... exempt	Utility integrated storage as a transmission and distribution asset.	To consider the Joint Utilities' study and proposal of the use of energy storage as a transmission and distribution asset.
PSC-52-24-00016-P	..... exempt	Billing cycle effective dates for Market Supply Charge Adjustment, Monthly Adjustment Clause Adjustment Factors, and others.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-52-24-00017-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-24-00018-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-24-00019-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-53-24-00003-P	..... exempt	RG&E's 2025 Electric Emergency Response Plan.	To consider the adequacy of RG&E's proposed 2025 Electric Emergency Response Plan.
PSC-53-24-00004-P	..... exempt	Buyback Service Rates and Contract Demand amounts, and exemptions to such for certain hydroelectric generators.	To consider procedures for Buyback Service, and exemptions for hydroelectric generators.
PSC-53-24-00005-P	..... exempt	Electric metering equipment.	To consider use of electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-53-24-00006-P	..... exempt	Central Hudson's 2025 Electric Emergency Response Plan.	To consider the adequacy of Central Hudson's proposed 2025 Electric Emergency Response Plan.
PSC-53-24-00007-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, and refinancing of maturing debt.
PSC-53-24-00008-P	..... exempt	NYSEG's 2025 Electric Emergency Response Plan.	To consider the adequacy of NYSEG's proposed 2025 Electric Emergency Response Plan.
PSC-53-24-00009-P	..... exempt	O&R's 2025 Electric Emergency Response Plan.	To consider the adequacy of O&R's proposed 2025 Electric Emergency Response Plan.
PSC-53-24-00010-P	..... exempt	National Grid's 2025 Electric Emergency Response Plan.	To consider the adequacy of National Grid's proposed 2025 Electric Emergency Response Plan.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-53-24-00011-P	..... exempt	Con Edison's 2025 Electric Emergency Response Plans.	To consider the adequacy of Con Edison's proposed 2025 Electric Emergency Response Plans.
PSC-01-25-00013-P	..... exempt	Proactive planning related to building and transportation electrification.	To consider NYSEG and RGE's proposed Urgent Upgrade Projects and cost recovery mechanism.
PSC-01-25-00014-P	..... exempt	Proactive planning related to building and transportation electrification.	To consider the Joint Utilities' proposed methodology to evaluate and fund Urgent Upgrade Projects.
PSC-01-25-00015-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-01-25-00016-P	..... exempt	Proactive planning related to building and transportation electrification.	To consider Con Edison's proposed Urgent Upgrade Projects and cost recovery mechanism.
PSC-01-25-00017-P	..... exempt	Waiver of 16 NYCRR Section 88.4(a)(4) [system reliability impact study].	To consider waiver of a regulation related to the content of an application for transmission line siting.
PSC-01-25-00018-P	..... exempt	Proactive planning related to building and transportation electrification.	To consider National Grid's proposed Urgent Upgrade Projects and cost recovery mechanism.
PSC-01-25-00019-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To determine whether to authorize the waiver request while ensuring consumer and energy efficiency protections are in place.
PSC-01-25-00020-P	..... exempt	The New York State Standardized Interconnection Requirements.	To improve the process for distributed generation and energy storage projects interconnecting to utility systems.
PSC-01-25-00021-P	..... exempt	Clean Energy Standard administration.	To consider the Tier 4 implementation plan proposing compliance obligation calculations, process and structure, and agreements.
PSC-01-25-00022-P	..... exempt	Waiver of 16 NYCRR Section 88.4(a)(4).	To consider a waiver of part of a regulation relating to the content of an application for transmission line siting.
PSC-01-25-00023-P	..... exempt	Investment targets and operations of the Green Bank program.	Consideration of proposal by NYSEDA to modify the NY Green Bank operations and investment targets.
PSC-02-25-00001-P	..... exempt	Transfer of ownership and control of regulated telephone corporations.	General supervision and oversight of telephone corporations.
PSC-03-25-00002-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-03-25-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-03-25-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-03-25-00005-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-03-25-00006-P	..... exempt	Issuance of securities and other forms of indebtedness.	To assess the reasonableness of the requested authorization for issuance of long-term securities.
PSC-04-25-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-04-25-00007-P	..... exempt	Lightened regulatory regime and financing for the owner and operator of a wind-powered generating facility.	To determine the regulatory framework and applicable financing for a wholesale electric generator.
PSC-04-25-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-04-25-00009-P	..... exempt	Petition to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-04-25-00010-P	..... exempt	The New York State Standardized Interconnection Requirements.	To improve the process for distributed generation and energy storage projects interconnecting to utility systems.
PSC-04-25-00011-P	..... exempt	Lightened regulatory regime for the owner and operator of a solar electric generating facility.	To determine the regulatory framework for a wholesale electric generator.
PSC-04-25-00012-P	..... exempt	A debt financing arrangement with respect to natural gas pipelines and related facilities providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.
PSC-04-25-00013-P	..... exempt	Petition for transfer of assets and dissolution of water works corporation.	To determine if the transfer of Pabst's assets to the Town and Pabst's dissolution are in the public interest.
PSC-04-25-00014-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-04-25-00015-P	..... exempt	Proactive planning related to building and transportation electrification.	To consider the Joint Utilities' proposed long-term proactive planning process for building and transportation electrification.
PSC-04-25-00016-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner/operator of a solar-powered generation facility.	To determine whether a lightened regulatory regime for ConnectGen Chautauqua County LLC is consistent with the public interest.
PSC-04-25-00017-P	..... exempt	Tariff filing to correct two minor errors and add language related to the purchased power adjustment charge.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-05-25-00010-P	..... exempt	To examine and determine the accuracy of all apparatus for testing and proving the accuracy of water meters.	To ensure that consumer bills are based on accurate measurements of water usage.

Action Pending Index

NYS Register/February 5, 2025

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-05-25-00011-P	..... exempt	Petition to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-05-25-00012-P	..... exempt	Funding and administration of an Innovation and Research portfolio as described in NYSERDA's Innovation & Research Proposal.	Consideration of proposal by NYSERDA for the funding and administration of an Innovation and Research portfolio.
PSC-05-25-00013-P	..... exempt	To review tariff modifications regarding pole attachment charges.	To ensure safe and adequate pole attachment service at just and reasonable rates charged to customers without undue preference.
PSC-05-25-00014-P	..... exempt	Proposed major rate increase in Liberty SLG's gas delivery revenues by about \$2.2 million (6.12% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-05-25-00015-P	..... exempt	Issuance of long-term securities and other forms of indebtedness.	To assess the reasonableness of the requested authorization for issuance of long-term securities.
PSC-05-25-00016-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-05-25-00017-P	..... exempt	Proposal for replacement of Con Edison's Rider Q program with Locational Variant Daily As-Used Demand Pricing Rates.	To provide customers with locational variant daily as-used demand pricing.
PSC-05-25-00018-P	..... exempt	Waiver of the requirements of velocity steam meter testing for 2023 and 2024.	To consider whether to provide relief from the velocity meter testing requirements due to testing facility shutdown.
PSC-05-25-00019-P	..... exempt	To review tariff modifications regarding pole attachment charges.	To ensure safe and adequate pole attachment service at just and reasonable rates charged to customers without undue preference.
PSC-05-25-00020-P	..... exempt	Investment targets and operations of the Green Bank program.	Consideration of proposal by NYSERDA to modify the NY Green Bank operations and investment targets.
PSC-05-25-00021-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
STATE, DEPARTMENT OF			
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
DOS-04-25-00020-P	..... 04/02/26	Variance and Appeals Procedures of the Uniform Code by the Department of State	Clarify the routine cases aspect of the variance procedures for a construction-permitting agency
STATE UNIVERSITY OF NEW YORK			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TAXATION AND FINANCE, DEPARTMENT OF			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-17-24-00002-EP	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2024 through March 31, 2024
TAF-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.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
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”
TRANSPORTATION, DEPARTMENT OF			
TRN-50-24-00001-P	..... 12/11/25	Transportation Regulations	To update the administrative proceedings and various motor carrier safety subjects.
WORKERS’ COMPENSATION BOARD			
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
WCB-53-24-00001-P	..... 12/31/25	Network pharmacies	To provide guidance about when injured workers can obtain prescribed medication out of network

REGULATORY AGENDA

New York State Gaming Commission 2025 REGULATORY AGENDA

Pursuant to subdivision 1 of section 202-d of the State Administrative Procedure Act (SAPA), the Gaming Commission presents its regulatory agenda for calendar year 2025. All section and part references are to Title 9 of the New York Code of Rules and Regulations. As indicated in SAPA section 202-d(2), the Gaming Commission is not required to propose or adopt a rule listed on the regulatory agenda and may propose or adopt a rule that is not on the agenda. The Gaming Commission may add, delete or modify without further notice, except as required by the State Administrative Procedure Act, any item or information presented in this 2025 Regulatory Agenda.

Publication of this notice is intended to further assure that small businesses, local governments and public and private interests in rural areas are given opportunity to participate in the rule making process, as provided by sections 202-b and 202-bb of SAPA. Each rule listed below may require a regulatory flexibility analysis or a rural area flexibility analysis, pursuant to SAPA sections 202-b and 202-bb, respectively.

The public may submit written comments in regard to this regulatory agenda to the agency representative indicated at the end of this agenda.

Administration

Considering the adoption of hearing rules and procedures to standardize the governance of all Gaming Commission administrative hearings.

Commercial Casinos

Considering rules concerning the term of gaming facility licenses that may be awarded pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Article 13, Title 2-A.

Considering rules to govern the conduct of community advisory committees established by statute to receive public comment and approve or disapprove of commercial casino applications.

Considering the addition of a new rule requiring gaming facility licensees to notify the Commission in the event the licensee is penalized for casino-related infractions in another jurisdiction.

Horse Racing

Considering the amendment of rules concerning show wagering in Thoroughbred racing.

Considering amendments concerning attending veterinarian examinations in Thoroughbred racing.

Considering amendments to harness racing rules concerning duties of racing officials.

Considering amendments to harness racing rules concerning the appealability of disqualification judgments by track judges.

Considering amendments to harness racing rules to update and modernize various regulatory requirements.

Considering rules to establish deadlines to request a split or residual sample after notification of a positive test result.

Lottery

Considering amendments to regulations concerning lottery play slips and standardizing common draw-game rules.

Information may be obtained, and written comments may be submitted, concerning any of the above proposed amendments by contacting: Kristen Buckley, Gaming Commission, 354 Broadway, PO Box 7500, Schenectady, NY 12301-7500, (518) 388-3332, gamingrules@gaming.ny.gov

This agenda is posted on the Commission's website at <https://www.gaming.ny.gov/proposedrules.php>

RULE REVIEW

New York State Gaming Commission Five-Year Review of Existing Regulations

As required by section 207 of the State Administrative Procedure Act, the following is a list of rules adopted by the New York State Gaming Commission (including rule making of its legacy agencies, the Division of Lottery and the Racing and Wagering Board) in the calendar years 2020, 2015, 2010, 2005 and 2000, which must be reviewed in calendar year 2025. This list does not include rules that were adopted as consensus or emergency rules, or rules that have been largely amended or repealed. Public comment on the continuation or modification of these rules is invited and will be accepted until Monday, March 24, 2025. Comments may be submitted to Kristen M. Buckley, Acting Secretary of the New York State Gaming Commission, 354 Broadway Center, PO Box 7500, Schenectady, New York 12301-7500 or by electronic mail at gamingrules@gaming.ny.gov.

RULES ADOPTED IN 2020

Horse racing

SGC-07-20-00002-P Voidable claims of lame Thoroughbred horses.

The Commission adopted a rule to reduce the incentive to use the claiming race process as a means to race and sell an unsound Thoroughbred horse. The amendments allow a person who filed a claim to purchase such a horse to void the claim if the horse is lame or bleeds from a nostril (epistaxis) due to the exertions of the claiming race. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is Racing, Pari-mutuel Wagering and Breeding Law ("RWL") §§ 103(2) and 104(1) and (19).

SGC-07-20-00014-P Thoroughbred pick-five and pick-six wagering amendments.

The Commission adopted amendments to its Thoroughbred pick-five and pick-six wagering rules to allow a track to display wagering information about pick-five or pick-six combinations other than will-pays after the penultimate race in the sequence. The revision allows a track to disclose publicly combinations wagered upon, amounts wagered on such combinations, numbers of tickets sold or number of tickets still capable of winning a pick-five or pick-six pool. This rule is needed to enhance bettor interest, wagering handle and the return to government. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-11-20-00012-P Intra-articular injections regulation in Thoroughbred racing.

The Commission adopted rules to amend the restricted time period for the use of corticosteroid joint injections to 14 days from the prior restriction of seven days before a Thoroughbred horse's next race; to amend the restricted time period for the intra-articular injection ("IA") of any substance to a Thoroughbred horse to match the proposal of a 14-day restricted time period for a corticosteroid joint injection ("CJI") before a horse's next race; and to amend, to encompass the reporting of every IA, the requirement that Thoroughbred trainers maintain and submit accurate records to the Commission of every CJI within 48 hours of the treatment. This rule is needed to promote health

and safety of racehorses and enhance the integrity of racing. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00003-P Triple Wager in harness racing.

The Commission amended the triple wager rule in harness racing, which requires the selection of the first three finishers in a single race in the correct order of finish, to reduce from six to five the minimum number of entries in a race for which the triple is permitted to be offered. This rule is needed to enhance bettor interest, wagering handle and the return to government. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00004-P Non-steroidal anti-inflammatory drugs use in Thoroughbred racing.

The Commission adopted amendments to its Thoroughbred racing rules to limit nonsteroidal anti-inflammatory drugs ("NSAIDs") to only one clinical dose during the week before the horse races; limit the administration to the intravenous route; and set forth stricter thresholds for the two most commonly used NSAIDs, flunixin and phenylbutazone. The rule making also reduced the list of NSAIDs that can be administered lawfully within one week before the horse races to only three, by eliminating the NSAIDs that are not widely used and for which the appropriate lab threshold is unclear. This rule is needed to promote health and safety of racehorses and enhance the integrity of racing. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00005-P Furosemide Use and Practice.

The Commission amended its Thoroughbred racing rules to allow a horse eligible for furosemide administrations to be removed from the furosemide list for the limited purpose of running in a race whose conditions forbid the administration of furosemide (commonly known as Lasix) on race day. The rule permits the horse's trainer to request reinstatement to the Lasix list after the race without having to re-apply for the Lasix list with the eligibility criteria (including demonstrating another bleeding episode) being re-established. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00006-P Jackpot Super-High Five wager for harness racing.

The Commission adopted rules for a new wager for harness racing, to require the selection of the first five finishers in a single race in the correct order of finish. This rule is needed to enhance bettor interest, wagering handle and the return to government. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00007-P Exercise-induced pulmonary hemorrhage protections for Thoroughbred horses.

The Commission adopted rules to strengthen regulations related to exercise-induced pulmonary hemorrhage (EIPH) in Thoroughbred racing by requiring trainers to maintain a record of serious EIPH episodes and epistaxis (visible bleeding from the horse's nostrils); requiring that a horse that has experienced a serious EIPH episode must be subjected to another endoscopic examination following the horse's next race or workout; requiring trainers to provide such infor-

mation to subsequent owners (or their agents or trainers) within 48 hours of a request for the information, unless the Commission has collected and provided the information itself; and codifying the standard practice of excluding a horse that experiences epistaxis for specific minimum time periods. These rules are needed to promote health and safety of racehorses. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00008-P Rider licensing, health and safety.

The Commission adopted rules to strengthen the health and fitness protections and upgrade the licensing requirements for jockeys, apprentice jockeys, exercise riders and outriders who ride a Thoroughbred horse. The rules require a jockey to demonstrate to the stewards a competence of riding ability including various aspects of riding; set forth mandatory fitness standards for riders; require riders experiencing significant medical issues to obtain a clearance before riding; require every rider to have a baseline concussion assessment that is posted into a record-keeping system; require another concussive assessment when a rider is thrown from a horse or has a possible concussive event; require riders to report certain injuries and not ride until passed as fit to ride by the stewards; authorize the State steward to temporarily license a rider for the sole purpose of allowing the applicant to demonstrate riding proficiency; require steeplechase jockeys to have a commission license, report medical injuries and be subject to fitness requirements to return to ride; and require steeplechase jockeys to start at least 40 races sanctioned by the National Steeplechase Association before participating in a race with pari-mutuel wagering. These rules are needed to promote health and safety of participants in Thoroughbred racing. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00009-P Backstretch housing standards at racetracks.

The Commission adopted rules to extend regulations that set forth standards for housing maintained on the grounds of certain Thoroughbred racetracks to all racetrack housing at Thoroughbred and harness racetracks. These rules are needed to promote health, safety and welfare of participants in racing. The legal basis for the rule is RWL §§ 103 and 104(1) and (19).

SGC-35-20-00010-P Thoroughbred trainers' logs.

The Commission adopted rules to require Thoroughbred trainers to keep a record of equine drug administrations not recorded in veterinary records, including the drug, dose and date and time of administration. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00011-P Pick-six jackpot wager for harness racing.

The Commission adopted a pick-six jackpot wager for harness racing that is substantively identical to the rule for Thoroughbred racing. The wager, also known as a "jackpot" or "rainbow" wager, appeals to bettors by giving a larger prize when there is only one winning wager from a pool. This rule is needed to enhance bettor interest, wagering handle and the return to government. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

SGC-35-20-00014-P Thoroughbred out-of-competition testing amendments.

The Commission adopted revisions to its Thoroughbred out-of-competition sample collection rule, to conform to the national model rule of the Association of Racing Commissioners International, Inc. This rule is needed to promote health and safety of racehorses and enhance the integrity of racing. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

Lottery

SGC-35-20-00002-P Quick Draw Money Dots feature.

The Commission adopted rules to add a feature called "Money Dots" to the Quick Draw game. This rule is needed to enhance bettor interest, wagering revenue and the return to government. The legal basis for the rule is Tax Law §§ 1601 and 1604 and RWL §§ 103(2) and 104(1) and (19).

Casinos

SGC-07-20-00003-P Spanish 21 casino wager.

The Commission adopted a rule detailing the rules of play for the

Spanish 21 wager, an optional wager for the blackjack game, including relevant pay tables. This rule is needed for effective regulation of casinos and to enhance bettor interest, wagering revenue and the return to government. The legal basis for the rule is RWL §§ 104(19), 1307(1) and (2)(g), and 1335(5), (6) and (11).

SGC-35-20-00012-P Casino vendor key employee wagering restrictions.

The Commission adopted a rule to make the wagering restrictions of casino gaming registrants applicable to employees of casino vendor registrants who have responsibility for services to a casino. This rule is needed for effective regulation of casinos and to enhance actual and perceived integrity of gaming operations. The legal basis for the rule is RWL §§ 104(19), 1305(2), 1326(4) and 1336(1).

Other

SGC-07-20-00004-P Use of Social Security Numbers in wagering.

The Commission adopted rules to reduce the instances in which an individual is required to provide a Social Security Number to the Commission and to allow for the substitution of other unique indicators, reducing the exposure by players to potential identity theft and enabling individuals who may not currently possess a Social Security Number to avoid disqualification based on such. This rule is needed to protect the privacy of individuals and comply with requirements of federal law. The legal basis for the rule is RWL §§ 103 and 104(19).

SGC-33-20-00006-P Protection of trade secrets.

The Commission, in compliance with Public Officers Law section 87(4)(a), adopted regulations to prescribe the manner in which the agency will safeguard against any unauthorized access to records containing trade secrets submitted to the agency. This rule is needed to comply with a statutory mandate. The legal basis for the rule is RWL §§ 103(2) and 104(1) and (19).

RULES ADOPTED IN 2015

SGC-49-13-00009 Clenbuterol regulatory threshold and restricted time period

This rule making amended 9 NYCRR § 4043.2(g)(5) to limit the 96-hour restricted time period before a standardbred horse may race after an administration of clenbuterol to only horses that raced during the preceding 30 days and added a new rule, 9 NYCRR § 4043.2(k), which restricts from racing for 14 days a horse that has not raced for 30 or more days. This rule is needed because 14 days allow the anabolic effects of clenbuterol administration, which may occur when the drug is administered regularly for many days, to dissipate before the horse races. The legal basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law ("RWL") §§ 103, 104 and 122.

SGC-49-13-00011 Regulatory thresholds for 16 drugs

This rule making added a new rule, 9 NYCRR § 4120.3, to supplement the restricted time periods with regulatory thresholds consistent with national standards and to control the use of 16 common equine drugs in a standardbred horse before it races. This rule is needed because the thresholds are designed to keep a horse from racing while a drug is affecting its performance. The legal basis for the rule is RWL §§ 103, 104 and 122.

SGC-49-13-00014 Depo Medrol threshold and tests required after administration

This rule making added paragraph (17) to 9 NYCRR § 4120.3(a) to create a regulatory threshold for methylprednisolone acetate ("Depo Medrol") in a standardbred horse that demonstrates a joint injection of Depo Medrol within the previous seven days; repealed the 48-hour restricted time period in 9 NYCRR § 4120.2(e)(9); and added a new rule, subdivision (1) of 9 NYCRR § 4120.2, to require a standardbred horse treated with Depo Medrol to test below the regulatory threshold for the drug and be released by the stewards to race. This rule is needed because it allows a time sufficient to allow an evaluation of whether the drug helped the horse to heal and because the long half-life of the drug makes it difficult to regulate with a restricted time period and threshold. The legal basis for the rules is RWL §§ 103, 104 and 122.

SGC-49-13-00015 48-hour restricted time period for flunixin

This rule making repealed subdivision (d) and amended subdivision

(e) of 9 NYCRR § 4120.2 to no longer permit the non-steroidal anti-inflammatory drug (“NSAID”) flunixin to be administered until 24 hours before a standardbred horse races. This rule is needed because it standardized the restricted time period for all NSAIDs, removed an unwanted incentive to use flunixin, and protects horsepersons from exceeding the flunixin threshold. The legal basis for the rule is RWL §§ 103, 104 and 122.

SGC-49-13-00017 14-day restricted time period for firocoxib

This rule making added a new rule, subdivision (m) of 9 NYCRR § 4120.2, to restrict the administration of the NSAID firocoxib within 14 days before a standardbred horse race. This rule is needed to protect horsepersons from exceeding the firocoxib threshold and because a higher threshold would fail to identify administrations that are efficacious on race day. The legal basis for the rule is RWL §§ 103, 104 and 122.

SGC-49-13-00018 DMSO threshold and restricted time period

This rule making added paragraph (23) to 9 NYCRR § 4120.3(a) to establish a regulatory threshold that is consistent with national standards, and clarified subdivision (a) and amended subdivision (e) of 9 NYCRR § 4120.2 to increase the time restriction after an administration of dimethyl sulfoxide (i.e., DMSO) to 48 hours before a standardbred horse races to be consistent with this new threshold. This rule is needed for consistency with national standards. The legal basis for the rules is RWL §§ 103, 104 and 122. 9 NYCRR § 4120.3(a)(23) has been renumbered § 4120.3(a)(8).

SGC-37-14-00005 Depo Medrol tests required after administration

This rule making added a new rule, subdivision (k) of 9 NYCRR § 4043.2, to require a thoroughbred horse treated with Depo Medrol to test below the regulatory threshold for this drug and be released by the stewards to race. This rule is needed because the long half-life of the drug makes it difficult to regulate with a restricted time period and threshold. The legal basis for the rule is RWL §§ 103, 104 and 122.

SGC-37-14-00007 Reporting corticosteroid joint injections

This rule making added a new rule, 9 NYCRR § 4120.4(b), to require corticosteroid joint injections be reported to the Commission and claimants of a standardbred horse. This rule is needed because this information helps limit the debilitating effects of repetitive corticosteroid treatments. The legal basis for the rule is RWL §§ 103 and 104.

SGC-19-15-00017 Thoroughbred superfecta wager

This rule making added a new rule, 9 NYCRR § 4011.22, to describe and allow expressly the superfecta wager on thoroughbred races and to permit the wager with coupled horses in the race by assigning the best finish of the coupled horses to the wager. This rule is necessary to make the wager easier for racetracks to offer and increases bettor interest, wagering handle and the return to government. The legal basis for the rule is RWL §§ 103 and 104.

SGC-20-15-00003 Thoroughbred coupled entries

This rule making amended 9 NYCRR § 4025.10 to permit coupled entries in thoroughbred races with stakes of a minimum purse of \$50,000 rather than \$1,000,000, provided that the racetrack adequately informs the public of the common ownership. This rule is necessary to increase the opportunity for the racetracks to offer this wager, wagering handle and the return to government. The legal basis for the rule is RWL §§ 103 and 104.

SGC-20-15-00012 Definitions for casino gaming rules

This rule making added a new rule, 9 NYCRR § 5300.1, to define terms for the casino gaming regulations in subchapter B of Chapter IV of the Gaming Commission’s rules. This rule is needed for effective regulation of casinos. Subsequent rule making has added definitions of credit slip, dealer, drop box, fill, gaming cheat, hand, match-play coupon, pit, promotional gaming chip and coupon, shift, and supervisor; and the initial subdivisions (a)-(m) have been renumbered by subsequent rule making to maintain in alphabetical order all the terms defined now in subdivisions (a) – (y) of 9 NYCRR § 5300.1. The legal basis for the rule is RWL §§ 104 and 1307.

SGC-29-15-00013 Gaming facility license application

This rule making added a new Part 5301 (§§ 5301.1 to 5301.10) to

9 NYCRR to prescribe the form and process for gaming facility license applications. These rules are necessary to implement gaming facility licensing prescribed in statute. The legal basis for the rules is RWL §§ 104, 1305, 1306, 1307, 1311, 1312, 1313, 1315, 1316, 1317 and 1318.

SGC-29-15-00014 Minority- and Women-Owned Business and Workforce Diversity

This rule making added a new Part 5311 (§§ 5311.1 to 5311.8) to 9 NYCRR to establish a utilization plan for MWBE in the construction and operation of commercial casinos and a new Part 5312 (§§ 5312.1 to 5312.5) to 9 NYCRR to require gaming facilities to ensure a diverse workplace. These rules are needed for effective regulation of casinos. The legal basis for the rules is RWL §§ 104, 1307, 1316 and 1320.

SGC-29-15-00015 Gaming facility employee and vendor licensing

This rule making created new Parts 5303 through 5307 to 9 NYCRR for the licensing and registration of gaming facility employees and vendors. Sections 5303.1 through 5303.10 set forth the minimum requirements and application procedure, background investigation, license criteria, fees, reapplication process, license discipline and wagering restrictions for all applicants. Part 5304 has rules specific for key casino employees, Part 5305 for gaming employees, Part 5306 for non-gaming employees and Part 5307 for vendors. These rules are necessary to implement occupational licensing prescribed in statute. The legal basis for the rules is RWL §§ 104, 1307, 1322, 1323, 1324, 1325, 1326 and 1327.

SGC-29-15-00026 Powerball and other Lottery draw game rules

This rule making amended §§ 5004.9, 5007.2, 5007.13, 5007.15, 5007.16, 5009.2 and 5010.2 of 9 NYCRR to use the term Quick Pick for the random-selection tickets and to change how many numbers are in the fields from which a player selects numbers to play Powerball, a multi-jurisdictional lottery game offered in New York, because innovative games generate more revenue. These rules are needed for New York to continue to participate in the Powerball game. The legal basis for the rule is RWL § 104 and Tax Law §§ 1601, 1604, 1612 and 1617.

SGC-33-15-00013 Numbers and Win-4 Lottery wagers

This rule making amended 9 NYCRR §§ 5009.2 and 5010.2 to allow a Close Enough type of wager for the New York’s Numbers and Win-4 Lottery games because innovative games generate more revenue. These rules are needed to enhance bettor interest, wagering revenue and the return to government. The legal basis for the rule is RWL §§ 103 and 104 and Tax Law §§ 1601, 1604 and 1612.

SGC-29-15-00001 Video lottery gaming facility closing hours

This rule making amended 9 NYCRR § 5118.9 to remove the 4:00 a.m. restriction that was rendered obsolete by an amendment to Tax Law § 1617-a(b). This rule is necessary for the effective regulation of video lottery gaming. The legal basis for the rule is RWL §§ 103 and 104 and Tax Law § 1617-a(b).

SCG-40-15-00003 Standardbred races for New York-bred horses

This rule making added subdivision (c) to § 4108.8 of 9 NYCRR to permit standardbred racetracks to offer races with entries limited to only New York-bred horses, which is rule making required by an amendment to RWL § 307-a. This rule is necessary to implement the statute. The legal basis for the rules is RWL §§ 103, 104 and 307-a.

RULES ADOPTED IN 2010

Rules adopted by the Division of Lottery:

LTR-19-10-00013. Multi-state Powerball game and payment of prizes

This rule making to 21 NYCRR added a new § 2806.13 to permit New York to offer the multi-state Powerball lottery game and amended §§ 2803.12, 2806.2, 2806.7 and 2806.11 to codify an agreement of Mega Millions state lottery jurisdictions like New York with the Multi-State Lottery Association and permit the sale of Powerball and Mega Million lottery tickets in all such states, define Quick Pick to be consistent with the Powerball game, and require that prize winners cooperate in publicity events. Joining the Powerball game increases Lot-

tery revenue and aid to education in New York. These rules have been renumbered as 9 NYCRR §§ 5007.13 and 5002.12, 5007.2, 5007.7 and 5007.11. The legal basis for the rules is Tax Law §§ 1601, 1604, 1612 and 1617.

Rules adopted by the Racing and Wagering Board:

RWB-16-10-00034 Uncoupling of entries with common thoroughbred trainers

This rule making amended 9 NYCRR §§ 4025.10(d) and 4035.2(e) to allow horses with a common trainer to compete in the same race as separate betting interests, and to permit the stewards to disqualify each horse of the trainer that finished ahead of an uncoupled horse committing a racing violation in the race that was disqualified, respectively. These rules are necessary because the uncoupling of entries increases better interest, handle and the return to government and the authority to disqualify other horses of the trainer protects the integrity of the races. The legal basis for the rules is RWL §§ 101 and 231.

RULES ADOPTED IN 2005

No rules were adopted by the Division of Lottery.

Rules adopted by the Racing and Wagering Board:

RWB-48-04-00011 Programming and naming of jockeys entered to ride

This rule making amended 9 NYCRR § 4025.33 to allow the race secretary to find an unassigned, replacement jockey on an “also eligible” list when another jockey was listed for two horses in the same race, rather than requiring that a back-up jockey be listed in the printed program for every horse. This rule is needed to assist the wagering public in receiving adequate electronic notice of the substitution and the list is an efficient means to find and assign the jockey. The legal basis for the rule is RWL §§ 103, 104 and 218.

RWB-09-05-00001 Drug rules for reserpine, fluphenazine, EPO and rhEPO

This rule making amended 9 NYCRR §§ 4043.6, 4043.7, 4038.18, 4120.10, 4120.11, 4109.7 and 4113.3 to use antibody tests to disqualify horses that recently were given the tranquilizers reserpine or fluphenazine, and to prohibit the use of the blood-doping agents erythropoietin (EPO) and darbepoietin (rhEPO), which stimulate the horse to produce more red blood cells, deliver more oxygen to its muscles and improve race performance. These rules are needed to promote fair racing. The legal basis for the rules is RWL §§ 103, 104 and 301.

RWB-10-05-00003 Definition of bingo “occasion”

This rule making amended 9 NYCRR § 5800.1(q) to define a single bingo occasion, for an organization that conducts more than one bingo occasion, as limited to no more than 10 games. This rule is needed to provide clear guidance to organizations licensed to conduct bingo, players, inspectors and municipal clerks who issue the bingo licenses; allows for ample time for inspection and supervision by inspectors; and preserves certain traditional social elements of bingo. This rule has been renumbered by subsequent rule making as 9 NYCRR § 4800.1(q). The legal basis for the rule is Executive Law § 435.

RULES ADOPTED IN 2000

No rules were adopted by the Division of Lottery.

Rules adopted by the Racing and Wagering Board:

RWB-47-99-00001 Bell jar ticket art approval rule

This rule making amended 9 NYCRR § 5608.4 to allow a manufacturer of bell jar tickets to submit an artist’s rendition of the bell jar ticket, payout cards and flare when seeking commission approval for a new bell jar game, rather than the previous, costly requirement that the manufacturer produce and submit exemplars of these items. This rule is needed to make regulation more efficient. This rule has been renumbered by subsequent rule making as § 4608.4. The legal basis for the rule is General Municipal Law §§ 186 and 188-a(1).

RWB-15-00-00005 Games of chance and bingo regulations

This rule making amended §§ 5600.1, 5602.1, 5603.7, 5607.13, 5611.1, 5611.2, 5623.1, 5814.6, 5815.11 and Parts 5608, 5620, 5622, 5624, and 5820 of 9 NYCRR to give force and effect to comprehensive bell jar game statutory changes to Articles 9-A and 14-H of the General Municipal Law and strengthen the commission’s enforcement

capabilities. These rules have been renumbered by subsequent rule making as §§ 4600.1, 4602.1, 4603.7, 4607.13, 4611.1, 4611.2, 4623.1, 4814.6, 4815.11 and Parts 4608, 4620, 4622, 4624, and 4820 of 9 NYCRR. These rules are needed for the effective regulation of charitable gaming. The legal basis for the rules is Executive Law § 435 and General Municipal Law §§ 186 and 188-a.

RWB-38-00-00001 Occupational license renewal dates

This rule making amended 9 NYCRR §§ 4002.7, 4101.24(d) and 4205.1(j) to base the renewal date for standardbred, thoroughbred and quarter horse occupational licenses on the birthdate of the licensee rather than a calendar year basis. These rules are needed to distribute the workload of processing license applications throughout the year. The legal basis for the rules is RWL §§ 103, 104, 213, 309 and 409.

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

AG24 RE III, LLC
3400 Carlisle St., Suite 345, Dallas, TX 75204
State or country in which incorporated — Texas

Cashmere Fund
2000 Central Ave., Boulder, CO 80301
State or country in which incorporated — Delaware

EarthOptics, Inc.
2461 S. Clark St., #840, Arlington, VA 22202
State or country in which incorporated — Delaware

GMI-DFW Preferred, LP
1301 Solana Blvd., Bldg. 2, Suite 2450, Westlake, TX 76262
Partnership — GMI-TPS Irving GP, LLC

Oak Grove Hattiesburg LLC
1030 E. 48th St, Chicago, IL 60615
State or country in which incorporated — Mississippi

Pair Team, PBC
1459 18th St., PMB 206, San Francisco, CA 94107
State or country in which incorporated — Delaware

Regen Biopharma, Inc.
4700 Spring St., Suite 304, La Mesa, CA 91942
State or country in which incorporated — Nevada

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE HEATING SYSTEM Wolf Road Office Building Albany, Albany County

Sealed bids for Project Nos. 47366-H, and 47366-E, comprising separate contracts for HVAC Work and Electrical Work, Replace Heating System, Wolf Road OB, 50 Wolf Road, Albany (Albany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, February 19, 2025, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$46,700 for H, and \$6,300 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for H, and between \$50,000 and \$100,000 for E.

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

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

MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 220 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on February 6, 2025, at Wolf Road OB, 50 Wolf Road, Albany, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of David Mills (518) 727-0356 a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 3 of the Veteran's Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this

contract as follows: 0% for the E trade contractor, and 3% for the H trade contractor, and based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

By OGS - Design & Construction Group

**REPLACE
BOILER**

Department of Transportation Region 7
Collins Landing, Jefferson County

Sealed bids for Project Nos. 47559-H, and 47559-E, comprising separate contracts for HVAC Work, and Electrical Work, Replace Boiler, DOT Region 7, Jefferson County, I-81, Exit 50 Alexandria Bay, Collins Landing (Jefferson County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, February 19, 2025, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$27,400 for H, and \$8,800 for E).

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

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

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

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

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

The substantial completion date for this project is 213 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m., February 6, 2025, at Collins Landing DOT, 43048 NY-12 N, Collins Landing NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of David Young (315) 414-1613 a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

**REPLACE
ROOF**

Department of Transportation Region 10
Hauppauge, Suffolk County

Sealed bids for Project No. 47576-C, comprising of a contract for Construction Work, Replace Roof, Region 10, Hauppauge, 140 Nicon Court, Hauppauge (Suffolk County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, February 12, 2025, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$67,600 for C).

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

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

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

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

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

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

The substantial completion date for this project is 213 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on January 30, 2025, at NYS DOT Information Building, 140 Nicon Court, Hauppauge, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Bruce Desiderio (646) 678-1082 a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

**REPLACE
BOILER**
Valcour Comfort Station I-87
Peru, Clinton County

Sealed bids for Project Nos. 47647-H, and 47647-E, comprising separate contracts for HVAC Work, and Electrical Work, Replace Boiler, DOT Region 7, Clinton County, Valcour Comfort Station I-87, Peru (Clinton County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, February 12, 2025, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$29,500 for H, and \$9,700 for E).

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

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

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

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

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

The substantial completion date for this project is 182 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on January 30, 2025, at the Valcour Comfort Station I-87, Adirondack Northway, between exits 35 and 36 Northbound, Peru, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Shane Rolich (518) 949-0681 a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Environmental Facilities Corporation
625 Broadway
Albany, NY 12207-2997

Division of Housing and Community Renewal
Housing Finance Agency
641 Lexington Ave.
New York, NY 10022

MUNICIPALITIES

Green Innovation Grant Program; Wastewater Infrastructure Engineering Planning Grant

Green Innovation Grant Program

The New York State Environmental Facilities Corporation (EFC) is pleased to announce the availability of \$15 million in grants to help fund projects that improve water quality and utilize green practices to improve resiliency for protection of existing infrastructure through the Green Innovation Grant Program (GIGP). The GIGP grants are awarded on a competitive basis to projects that will implement one or more of the following Green Practices:

- > Green Stormwater Infrastructure
- > Energy Efficiency
- > Water Efficiency
- > Environmental Innovation

The Program Summary for the GIGP can be found on EFC's website at: <https://www.efc.ny.gov/GIGP>

Wastewater Infrastructure Engineering Planning Grant

EFC is pleased to also announce the availability of \$3 million in grants through the Wastewater Infrastructure Engineering Planning Grant (EPG) program to help municipalities fund the initial planning of water quality capital projects meeting Clean Water State Revolving Fund (CWSRF) eligibility requirements.

The goal of the EPG program is to encourage communities to advance water quality projects to the design stage, and ultimately construction, by funding the development of an engineering report. This allows the community to seek financing through the CWSRF program or funding from other sources.

Grants of up to \$100,000 are available to municipalities to fund engineering and planning activities that result in an acceptable engineering report. Engineering services must be procured in accordance with federal qualifications-based requirements.

The Program Summary for the EPG program can be found on EFC's website at: www.efc.ny.gov/epg

Application Due Date:

Applications for both grant programs must be submitted using the online application located on EFC's website at: <https://efc.ny.gov/gigp> or <https://efc.ny.gov/epg> by 5:00 p.m. Friday, April 11, 2025. Applicants may be required to submit documents with the application.

Webinar:

Interested parties may register for one or both February 26 webinars to learn more about these funding opportunities and how to apply. Please visit EFC's website to register and for dates of any additional webinars or for other information about these grants.

Primary Contact: Brian Hahn, EFC, 625 Broadway, Albany, NY 12207-2997, (518) 402-6924

PERSONS/FIRMS SPONSORING THE CONSTRUCTION AND/OR REHABILITATION OF AFFORDABLE HOUSING FOR LOW, MODERATE AND MIDDLE-INCOME PERSONS/HOUSEHOLDS

New York State Low Income Housing Tax Credit Program (SLIHC)

DESCRIPTION:

New York State Homes and Community Renewal (HCR) announces the availability of tax credits under the New York State Low Income Housing Tax Credit Program (SLIHC).

Pertinent HCR guidance and the materials necessary to submit a request for SLIHC is available on the HCR website at <https://hcr.ny.gov/multifamily-finance-4-program-materials>

APPLICATION DEADLINES:

Applications for SLIHC submitted pursuant to this NOCA and pertinent HCR guidance must be completed and submitted by 11:59 PM ET on March 31, 2026.

A \$3,000 application fee is required for each SLIHC application with the following exception: not-for-profit applicants (or their wholly-owned subsidiaries) or Minority/Women Owned Business Enterprises that will be sole general partner of the partnership/project owner or sole managing member of the limited liability company/project owner may request a deferral of payment until the time of tax credit allocation.

2025 SLIHC AVAILABLE:

HCR expects to have approximately up to \$5 million available for SLIHC commitments.

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE

Office of Parks, Recreation and Historic Preservation

In accordance with subdivision (c) of section 427.4 of title 9 NYCRR notice is hereby given that the New York State Board for Historic Preservation will be considering nomination proposals for listing of properties in the State and National Register of Historic Places at a meeting to be held on Wednesday, March 12, 2025, at the New York State Museum.

The following properties will be considered:

1. Marcus Garvey Park, New York, New York County
2. Church of St. Edward the Martyr, New York, New York County
3. Roosa House, Marletown, Ulster County
4. Stuyvesant Gardens I, Brooklyn, Kings County
5. Home for the Aged in Ulster County, Kingston, Ulster County
6. Walter Coulter Homestead Farm, Bovina, Delaware County
7. Jefferson Historic District, Jefferson, Schoharie County
8. Cattaraugus County Memorial and Historical Building, Little Falls, Cattaraugus County
9. First Presbyterian Church, Jamestown, Chautauqua County
10. Bragg House, Elmira, Broome County
11. Ahavas Achim Cemetery, Cheektowaga, Erie County
12. Colgate-Rochester (Crozer) Divinity School, Rochester, Monroe County
13. St. Stephen's Roman Catholic Church Complex, Geneva, Ontario County
14. Hillsdale Hamlet Historic District Boundary Expansion, Hillsdale, Columbia County
15. Syracuse Boys Club, Syracuse, Onondaga County
16. Utica Mutual Insurance Company Office Building, Syracuse, Onondaga County
17. Corsi Houses, New York, New York County
18. Morris Park Senior House, New York, New York County

19. Jackie Robinson Houses, New York, New York County
20. Whelan Bottling Works, Troy, Rensselaer County
21. St. George's Lodge No 6, Masonic Temple and Club, Schenectady, Schenectady County
22. Lynbrook Public Library, Lynbrook, Nassau County
23. Smith Octagon House, Stockport, Columbia County
24. Charles D. & Elizabeth Lantry House, Kingston, Ulster County

To be considered by the board, comments may be submitted to Daniel Mackay, Deputy Commissioner for Historic Preservation and Deputy State Historic Preservation Officer, Division for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, no later than Tuesday, March 11 or may be submitted in person at the meeting by contacting Daniel Mackay at the same address no later than March 11.

For further information, contact: Daniel Mackay, Deputy Commissioner for Historic Preservation and Deputy State Historic Preservation Officer, Division for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189, 518-268-2171

PUBLIC NOTICE

Department of State
F-2024-0745

Date of Issuance – February 5, 2025

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-2024-0745, Patrick Snyder has proposed the removal of the existing floating docks and wooden fence. Provide jumbo concrete blocks parallel to the shoreline approximately 30' from the rear property line. Provide fill and backfill behind the concrete block seawall. Construction of two boathouses which aligns with the existing neighboring boat house. One boathouse will be 36 feet in width and 40 feet deep (1,440SF). The second boathouse will be 45 feet in width and 40 feet in depth (1,800 SF). Each of these boat houses will consist of construction on driven steel tube pilings with a wood frame dock and wood frame superstructure. The roof for the boathouses will slope from a peak in the center to eaves on the front and rear of the building. Roofing and siding will be steel sheets secured to the wood frame. The project is located on Green's Creek at 17 Starring Avenue, Alexandria Bay, NY, 13607.

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

<https://dos.ny.gov/system/files/documents/2025/02/f-2024-0745.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 March 7, 2025.

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

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

PUBLIC NOTICE

Department of State
F-2024-0808

Date of Issuance – February 5, 2025

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-2024-0808, Richard Perry is proposing to construct a new 75' x 4' catwalk with four 8' diameter mooring piles at 32 Bay View Court, Town of Southampton, Suffolk County, Noyac Bay.

The stated purpose of the proposed action “construct new dock for access to Noyac Bay.”

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

<https://dos.ny.gov/system/files/documents/2025/02/f-2024-0808.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 March 7, 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-2024-0847

Date of Issuance – February 5, 2025

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-2024-0847, Andrew Messenger, is proposing to reconstruct within 16" waterward, approximately 80 LF of existing bulkhead with Navy style bulkhead with 8" pilings using 12' sheathing which will raise the bulkhead 12", (2) 6' returns, and stairs to the beach. A 6' wide walkway to finish along the top of the bulkhead. Fill behind the bulkhead with approximately 10 cubic yards of clean granular fill to be trucked in. Construct a 4' x 100' pile supported dock with a 3' x 14' ramp to a 6' x 20' float. Two mooring pilings to be installed on the east

and west of the float. The proposed project would be located at 4 South Street, on Moriches Bay, Town of Brookhaven, Suffolk County.

The stated purpose of the proposed action is “Land Retention and Recreational Use”.

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

<https://dos.ny.gov/system/files/documents/2025/02/f-2024-0847.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 March 7, 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-2025-0019

Date of Issuance – February 5, 2025

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-2025-0019, Suffolk County Parks is proposing to clear the high marsh area, remove and build over the existing parking lot, and in its place construct an ADA-compliant 4' x 160' elevated boardwalk with an observation deck. The deck will be supported on approximately 59 12-inch diameter 30-40 ft long greenheart timber piles.

975 Dune Road, Cupsogue Beach County Park, Town of Brookhaven, Village of Westhampton, Suffolk County, Moriches Bay marsh area.

The stated purpose of the proposed action is to safely encourage and facilitate wildlife observation while preventing further disturbance to the habitat and allowing the disturbed area to naturally recover. Also, to increase public use and safety of the park while decreasing foot traffic through the sensitive wildlife area.

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

<https://dos.ny.gov/system/files/documents/2025/2/f-2025-0019.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 March 7, 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
Notice of Program Change
Town of Grand Island

Local Waterfront Revitalization Program

PURSUANT to 15 CFR 923, the New York State Department of State (DOS) has submitted to the National Oceanic and Atmospheric Administration (NOAA) Office for Coastal Management (OCM) a request for approval of a change to the federally-approved New York State Coastal Management Program (CMP). The change to the New York State CMP covered by this request is the incorporation of the Town of Grand Island Local Waterfront Revitalization Program (LWRP) into the State's CMP. The program change is the LWRP as approved by the state. The LWRP includes enforceable policies that will be used for Coastal Zone Management Act review purposes.

A major component of the State's CMP is the provision that local governments be allowed to prepare Local Waterfront Revitalization Programs, which further detail and make geographically specific the State's coastal policies. Each LWRP is reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The Town of Grand Island LWRP was prepared in partnership with the New York State Department of State and serves as a long-term management program for the waterfront resources of the town. The Town of Grand Island LWRP expands the State Coastal Area to plan for, manage and protect waterfront resources more effectively. The Town of Grand Island Waterfront Revitalization Area (WRA) has a total of approximately 6,590 acres encompassing portions of the Niagara River and its tributaries, wetlands, State parks, open space and land conservation areas recently acquired by the town and not-for-profit organizations, and portions of the commercial areas that support existing water-dependent recreational resources and the local economy.

The LWRP provides a detailed inventory and analysis of the Town of Grand Island WRA, including natural resources, historic and cultural resources, existing land and water uses, harbor management, and important economic activities, as well as issues and opportunities for future development. The coastal policies and accompanying explanations are comprehensive and determine the appropriate balance between economic development and preservation that will permit beneficial use of, and prevent adverse effects on, the town's waterfront resources. The LWRP also describes the proposed land uses and controls in the Town of Grand Island to be accommodated in the waterfront revitalization area under the town's Zoning Law. In 2024, the town adopted a LWRP Consistency Review Law that establishes a clear management structure to assure that local actions are reviewed for consistency with the provisions of the LWRP.

The LWRP identifies 23 projects to advance the town's waterfront revitalization goals of facilitating local and regional revitalization and environmental preservation. Recommended projects vary but generally focus on public access and recreational enhancement, stream protection, and economic opportunities.

The draft LWRP was circulated by the New York State Department of State to potentially affected State, federal, and regional agencies from August 23, 2023, to October 23, 2023. A public notice was published on August 23, 2023, in the New York State Register announcing this review period. Revisions addressing the comments received during the 60-day review were subsequently made to the LWRP, as necessary. The Grand Island LWRP was adopted by resolution by the Town of Grand Island Town Board on May 20, 2024 and approved by the New York State Secretary of State on January 15, 2025 pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

The Town of Grand Island Local Waterfront Revitalization Program and this public notice are available on the NOAA Coastal Zone Management Program Change website under File Number NY-2025-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

The Town of Grand Island Local Waterfront Revitalization Program

and this public notice are also available on the New York State Department of State's website at: <https://dos.ny.gov/location/grand-island-local-waterfront-revitalization-program> and <https://dos.ny.gov/public-notices>

Any comments on this program change to the State's approved Coastal Management Program should be submitted directly to the NOAA Office for Coastal Management on NOAA's Program Change website under File Number NY-2025-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

Written hard copy comments may be submitted to Joelle Gore, Office for Coastal Management, National Oceanic and Atmospheric Administration, 1305 East-West Highway, Silver Spring, MD 20910

Comments will be accepted by OCM for three weeks (21 days) following the date of the publication of this notice on February 5, 2025.

Further information on this program change may be obtained from: Lisa Vasilakos, Office of Planning, Development and Community Infrastructure, Department of State, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001, lisa.vasilakos@dos.ny.gov

PUBLIC NOTICE

Department of State

Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205.5, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2024-0416 In the Matter of Peter Drinovac, property located at 84 Narcissus Road, Rocky Point, NY 11778, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0284 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance for code issues concerning installation of center mullions for alteration of Mid-Hudson Forensic Psychiatric Center, Building #60, located at 2 River Road, New Hampton, NY 10958, County of Orange, State of New York.

2024-0285 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance of code issues concerning installation of public drinking fountains for addition of a building to the Mid-Hudson Forensic Psychiatric Center, Building #60, located at 2 River Road, New Hampton, NY 10958, County of Orange, State of New York.

2024-0287 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance of code issues concerning fire-resistance-rated opening protection in fire barrier walls and self or automatic door closing of seclusion rooms (incidental uses) for the addition of a building to the Mid-Hudson Forensic Psychiatric Center, Building #60, located at 2 River Road, New Hampton, NY 10958, County of Orange, State of New York.

2024-0289, In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance of code issues concerning accessible bathing facilities, including type of shower seat and type of shower head of the Mid-Hudson Forensic Psychiatric Center, Building #60, located at 2 River Road, New Hampton, NY 10958, County of Orange, State of New York.

2024-0295 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance of code issues concerning allowable maximum water flow rate (gpf.) of a plumbing fixture (water closet) of the Mid-Hudson Forensic Psychiatric Center, Building #60, located at 2 River Road, New Hampton, NY 10958, County of Orange, State of New York.

2024-0515 In the Matter of Julian Ordman, property located at 1

Ridgedell Avenue, Hastings-on-Hudson, NY 10706, for a variance concerning safety requirements, including ceiling height and stair width in the basement. Involved is an existing dwelling, County of Westchester, State of New York.

2024-0297 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance of code issues concerning minimum required number of toilet rooms and their location for addition of a building to Mid-Hudson Forensic Psychiatric Center, Building #60, located at 2 River Road, New Hampton, NY 10958, County of Orange, 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.

2025-0022 Matter of Nicholas Pfluger, 85 East Main Street, Bay Shore, NY 11706, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 33 Redwood Drive, Town of Islip, County of Suffolk, State of New York.

2025-0023 Matter of Dynamic Expediting Services, Roxanne Trela, 231 Islip Avenue, Islip, NY 11751, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 51 Daisy Street, Town of Brookhaven, County of Suffolk, State of New York.

2025-0024 Matter of Andrew Malguarnera, 713 Main Street, Port Jefferson, NY 11777, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 87 Abbott Avenue, 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.

2025-0033 In the Matter of Shawn F. Leonard Architect, P.C., Shawn F. Leonard, 320 Hampton Road, Southhampton, NY 11968, for a variance concerning safety requirements, including location of shut off valves. Involved is a one family dwelling located at 33 Larchmont Avenue, Village of Larchmont, County of Westchester, State of New York.

2025-0034 In the Matter of Construction Expediting Inc., Kalman Herskovits, 134 Route 59, Suite 201, Suffern, NY 10901, for a variance concerning safety requirements, including egress location. Involved is a two-story building located at 5 South Remsen Street, Town of Ramapo, County of Rockland, State of New York.

2025-0035 In the Matter of Congregation Bobover Yeshiva of Monsey, Shlomo Bochner, 230 Viola Road, Monsey, NY 10952, for a variance concerning safety requirements, including egress, remotness and fire apparatus road. Involved is a two-story building located at 83 Highview Road, Town of Ramapo, County of Rockland, State of New York.

2025-0036 In the Matter of Evan Weinstein, 8 Barker Lane, Scarsdale, NY 10583, for a variance concerning safety requirements, including automatic safety cover. Involved is a one family dwelling located in the Village of Scarsdale, County of Westchester, State of New York.

2025-0037 In the Matter of Jordan Bryk, 35 Brookby Road, Scarsdale, NY 10583, for a variance concerning safety requirements, including door alarms and window latches. Involved is a one family dwelling located in the Village of Scarsdale, County of Westchester, State of New York.

2025-0039 In the Matter of Cassone Leasing Inc., Anthony Fenimore, 1900 Lakeland Avenue, Ronkonkoma, NY 11779, for a variance concerning safety requirements, including fire separation. Involved is a modular building located at 85 Beechwood Avenue, City of New Rochelle, County of Westchester, State of New York.

2025-0040 In the Matter of Hirise Developers Inc., Menachem Davidson, 6 Meinick Drive, Suite 205, Monsey, NY 10952, for a variance concerning safety requirements, including fire apparatus access road. Involved is a 2 family plus 1 apartment dwelling located at 8 Manor Drive, Town of Ramapo, County of Rockland, State of New York.