
NEW YORK STATE
REGISTER

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

For notices published in this issue:

- the 60-day period expires on February 8, 2026
- the 45-day period expires on January 24, 2026
- the 30-day period expires on January 9, 2026

**KATHY HOCHUL
GOVERNOR**

**WALTER T. MOSLEY
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE
REGISTER

Be a part of the rule making process!

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

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

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

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

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

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

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

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RULE MAKING ACTIVITIES

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.

New York State Bridge Authority

NOTICE OF EXPIRATION

The following notice has expired and cannot be reconsidered unless the New York State Bridge Authority publishes a new notice of proposed rule making in the *NYS Register*.

Use of NYSBA Property and Rights-of-way

I.D. No.	Proposed	Expiration Date
SBA-47-24-00001-P	November 20, 2024	November 20, 2025

Department of Corrections and Community Supervision

NOTICE OF ADOPTION

Privileged Correspondence

I.D. No. CCS-20-25-00010-A
Filing No. 1045
Filing Date: 2025-11-25
Effective Date: 2025-12-10

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

Action taken: Amendment of section 721.3 of Title 7 NYCRR.

Statutory authority: Correction Law, section 112

Subject: Privileged Correspondence.

Purpose: To provide updated non-invasive screening guidelines for privileged correspondence.

Text or summary was published in the May 21, 2025 issue of the Register, I.D. No. CCS-20-25-00010-EP.

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

Text of rule and any required statements and analyses may be obtained from: Jason Golub, Deputy Commissioner and Counsel, NYS Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman Campus, Albany, New York 12226-2050, (518) 457-4951, email: rules@doccs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2028, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

NOTICE OF ADOPTION

Establishment of a Mandatory Greenhouse Gas (GHG) Reporting Program

I.D. No. ENV-13-25-00016-A

Filing No. 1046

Filing Date: 2025-11-25

Effective Date: 30 days after filing

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

Action taken: Amendment of Part 200; addition of Part 253 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301 19-0305, 19-0306, 71-2103, 71-2105, 75-0101, 75-0103, 75-0105, 75-0107 and 75-0109; Climate Act

Subject: Establishment of a Mandatory Greenhouse Gas (GHG) Reporting Program.

Purpose: Improve the understanding of sources of GHG emissions, support the annual NYS GHG Emission Report and CLCPA emission reductions.

Substance of final rule: The Department of Environmental Conservation (Department) is establishing 6 NYCRR Part 253 (Part 253) to require emitters of greenhouse gases (GHG) to report their annual emissions. Reporting Entities under Part 253 will be required to maintain records needed to support the reported emissions and relatively larger sources of GHG emissions will be required to verify the reported emissions. The Department is proposing Part 253 to implement recommendations from the Climate Action Council Scoping Plan and to help inform and track actions needed to achieve the requirements of the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (see, e.g., Environmental Conservation Law Section 75-0109). The Department also proposes attendant revisions to 6 NYCRR Part 200 to update incorporations by reference contained in Part 253.

Part 253 Summary
 253-1.1 Purpose
 The purpose of this Part is to establish a mandatory GHG reporting program.
 253-1.2 Applicability
 This Part applies to emission sources that, any time after January 1, 2026, operated in New York and are in one of the categories listed. This includes but is not limited to facilities, fuel suppliers, waste haulers and transporters, electric power entities and agricultural lime and fertilizer suppliers. The applicability provisions also contain relevant thresholds for Reporting Entities and for Large Emission Sources that are also required to verify their GHG emissions.
 253-1.3 Definitions
 This subpart defines specific terms used within this regulatory framework, ensuring clarity and consistency in their interpretation and application. It supplements general definitions from Part 200 of this Title, providing clear distinctions where necessary for the effective implementation of the regulations.
 253-1.4 Greenhouse Gas Reporting Requirements
 This section specifies reporting requirements for Reporting Entities to monitor, report, and, if applicable, verify GHG emissions data annually.
 253-1.5 Greenhouse Gas Reporting Content
 This section clarifies the requirements for Reporting Entities to develop, submit, and certify GHG emissions data reports to the department annually.
 253-1.6 Reporting Mechanism
 This section includes that reports and revisions must be submitted through the New York State Greenhouse Gas Reporting Tool (NYS e-GGRT) or another approved reporting tool.
 253-1.7 Record Keeping
 This section encompasses the record keeping requirements for Reporting Entities that report GHGs, specifying a mandatory records retention period detailed within.
 253-1.8 Confidentiality
 This section outlines that emission data submitted to the department is typically public information, but entities have the option to claim confidentiality by following specific procedures if they believe the information qualifies as a trade secret or is exempt from public disclosure.
 253-1.9 Enforcement
 This section identifies penalties, including daily fines or an injunction, that may be assessed for late or inaccurate reports, unreported emissions, or failure to collect or maintain records. It also establishes the Department's right to access a Reporting Entity's premises.
 253-1.10 Severability
 This section includes a severability clause that notes that if any provision is deemed invalid, the remainder of the Part remains fully effective.
 253-1.11 Standardized Method
 This section provides that entities required to report GHG emissions must use standardized methods specified in regulations or approved by relevant organizations, or alternative methods with departmental approval.
 253-2.1 Aluminum Production
 This section requires aluminum production facilities to report stationary combustion and process emissions and related data.
 253-2.2 Anaerobic Digestion and Liquid Storage of Waste
 This section requires facilities exceeding specific thresholds to report annual emissions and related data, focusing on anaerobic digesters, reactors, and liquid or slurry waste storage at solid waste management sites, excluding fertilizers and landfills.
 253-2.3 Cement Production
 This section requires cement production facilities to report annual stationary combustion and process emissions and related data.
 253-2.4 Electric Power Entities
 This section requires electric power entities to report under this Part.
 253-2.5 Electricity Generation and Cogeneration Units
 This section requires operators of electricity generating and cogeneration units to report emissions and other data.
 253-2.6 Electronics Manufacturing
 This section requires electronics manufacturing facilities to report stationary combustion and process emissions and related data.
 253-2.7 Facility Fuel Utilization and Combustion Sources
 This section requires facilities with fuel utilization and combustion sources to report stationary fuel combustion emissions and related data.
 253-2.8 Glass Production
 This section requires facility operators to report stationary combustion and process emissions and related data from glass production.
 253-2.9 Hydrogen Production
 This section requires facility operators to report emission and data from molecular hydrogen production.
 253-2.10 Iron and Steel Production
 This section requires facility operators to report stationary combustion and process emissions and related data from iron and steel production.

253-2.11 Lead Production
 This section requires facility operators to report stationary combustion and process emissions and related data from lead production.
 253-2.12 Oil and Gas System
 This section outlines reporting requirements for facilities in the oil and gas sector, including onshore production, distribution, and transmission, if emissions exceed a specified threshold. Facilities must report GHG emissions and use emissions data for methane emissions from controlled equipment.
 253-2.13 Solid Waste Management
 This section requires facility operators to report stationary combustion and waste management emissions.
 253-2.14 Suppliers of Agricultural Lime and Fertilizer
 This section outlines reporting requirements for suppliers who produce or supply fertilizer or agricultural liming material products in New York, or who provide these products for soil application in state, if they are required to report under the specified section.
 253-2.15 Suppliers of Coal
 This section specifies the reporting requirement for coal suppliers in New York.
 253-2.16 Suppliers of Liquid Fuels and Petroleum Products
 This section specifies the reporting requirements for liquid fuel and petroleum products suppliers in New York.
 253-2.17 Suppliers of Natural Gas, Natural Gas Liquids, Compressed Natural Gas, and Liquefied Natural Gas
 This section specifies reporting requirements for suppliers of natural gas, natural gas liquids, liquefied petroleum gas, compressed natural gas, and liquefied natural gas, for reporting emissions and related data.
 253-2.18 Upstream Out of State Emissions from Fossil Fuels or Products
 This section requires suppliers of fossil fuels or products entering New York, along with specified facilities, to report relevant emissions and other data.
 253-2.19 Waste Haulers and Transporters
 This section covers reporting requirements for solid waste transporter, for reporting annual emissions and related data.
 253-2.20 Additional Methane Data Collection
 This section outlines additional methane data collection requirements for waste management facilities. It includes the development of Emissions Monitoring and Measurement Plans and the process for landfill operators and waste transporters to apply for adjustments to reported emissions based on waste composition verification.
 253-2.21 Fluorinated Greenhouse Gases
 This section specifies reporting requirements for producers of fluorinated greenhouse gases and facilities using equipment containing 50 or more pounds of refrigerant.
 253-2.22 Industrial Product Data Reporting Requirements
 This section requires certain industrial sectors to report total annual production data, including product descriptions and units of production. Large emission sources must use consistent reporting units.
 253-3.1 Substitution for Missing Data Used to Calculate Emissions from Stationary Combustion and CEMS Sources
 This section covers the procedures for handling missing or invalid emissions data for stationary combustion and CEMS sources, including methods for data substitution and record-keeping requirements.
 253-4.1 Requirements for Verification of Emissions Data Reports
 This section requires emission sources subject to verification to engage an accredited verification body to verify each emissions data report.
 253-4.2 Requirements for Verification Services
 This section sets forth the requirements for Verification services.
 253-4.3 Accreditation Requirements for Verification Bodies, Lead Verifiers, and Verifiers of Emissions Data Reports
 This section outlines accreditation rules for verification bodies, lead verifiers, and verifiers of emissions data reports. It specifies the criteria for obtaining accreditation, the department's authority to issue, modify, suspend, or revoke accreditation decisions, and the process for voluntary withdrawal from the program. Additionally, it includes guidelines on subcontracting verification services.
 253-4.4 Conflict of Interest Requirements for Verification Bodies
 This section establishes rules for verification bodies to prevent conflict of interest when verifying emission sources. It requires assessment and disclosure of potential conflicts.
 Part 200 Summary
 Amends existing Part 200 by making additions to 200.9 Referenced Material – Table 1 to capture all incorporation by reference documents from Part 253.
Final rule as compared with last published rule: Nonsubstantial changes were made in Subparts 253-1, 253-2, 253-3, 253-4 and section 200.9.
Text of rule and any required statements and analyses may be obtained from: Dan Brinsko, Department of Environmental Conservation, 625 Broadway, Albany NY 12233, Division of Air Resources, 11th Floor, (518) 402-8451, email: air.regs@dec.ny.gov

Summary of Revised Regulatory Impact Statement

As part of the State's ongoing efforts to gather information regarding sources of air pollutant emissions and to support the reduction of emissions to meet the statutory mandates of the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (Climate Act), the New York State Department of Environmental Conservation (Department) is establishing a mandatory greenhouse gas (GHG) reporting program that would require certain GHG emission sources to report emissions to the Department. The reporting program would be implemented through new 6 NYCRR Part 253, "Mandatory Greenhouse Gas Reporting Program" (Part 253). The Department also includes attendant revisions to 6 NYCRR Part 200, "General Provisions" (Part 200) to capture all incorporation by reference documents from Part 253.

1. Statutory Authority

The statutory authority for the Department's rule making is found in the Environmental Conservation Law (ECL) at Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301 19-0305, 19-0306, 71-2103, 71-2105, 75-0101, 75-0103, 75-0105, 75-0107, and 75-0109. ECL Section 75-0109, a key component of the Climate Act, authorizes the Department to promulgate GHG emission regulations in alignment with recommendations from the New York State Climate Action Council's Scoping Plan. This rule making will help to inform future rule makings in furtherance of those recommendations. As discussed in more detail in the Legislative Objectives below, Part 253 substantially reflects the findings and recommendations from the Scoping Plan regarding the establishment of a GHG emission registry and reporting system.

2. Legislative Objectives

The Climate Act acknowledges that significant reductions in GHG emissions are necessary to mitigate the ongoing impacts of climate change on New York State. The rule is a critical step in the regulatory process that would help to inform a future rule making that would achieve the mandates of the Climate Act and result in substantial air quality and public health benefits.

3. Needs and Benefits

Climate change is one of the most serious environmental threats facing humankind, and New York State is already feeling its effects. In fact, the last 10 years have been the hottest on record globally, with 2024 surpassing 2023 as the hottest on record at 1.55 °C above pre-industrial levels.¹ Despite the commitment by national governments to limit global warming to under 1.5 degrees C, global temperatures temporarily exceeded 1.5 °C for a 12-month period for the first time in 2023² and again in 2024. As discussed in the most recent New York State Climate Impacts Assessment³ and United Nations Adaptation Gap Report,⁴ the world has seen ocean heat on the rise, extreme weather and climate events that have led to massive economic and human losses, with detrimental impacts on human health, sustainable development, widening inequalities, and peace.⁵ Vulnerable communities, or disadvantaged communities, are hardest hit and continue to bear the brunt of the harmful effects of human-caused climate change.⁶

There is an urgent need for careful tracking and monitoring of GHG emissions, as well as for communicating this information and understanding the increasing risk from climate change. GHG concentrations surged in 2023. CO₂ is accumulating in the atmosphere at a faster rate than ever before in human existence, and the long life of CO₂ in the atmosphere amplifies future temperature increases. The world is on track to maintain temperatures 1.5°C above pre-industrial levels and to see a catastrophic temperature increase.⁷

Pursuant to ECL Section 75-0109, the Department, alongside the New York State Energy Research and Development Authority (NYSERDA), conducted extensive pre-proposal stakeholder outreach from June 2023 through the end of 2024. In addition, on May 15, 2025, the Department presented two identical informational webinars on proposed Part 253. The purpose of these webinars was to better inform stakeholders' public comments on the proposal by answering clarifying questions. Lastly, the Department created a Mandatory Greenhouse Gas Reporting web page containing the informational webinar recordings and other information related to the implementation of Part 253 and the reporting program. The website is maintained and updated continually.

The regulation for mandatory reporting of GHG emissions and the associated data collected would improve the annual New York State Statewide GHG Emissions Report, provide a mechanism to track emissions trends, support emission reduction strategies and monitor their effectiveness. The regulation is a central component of the Department's efforts to quantify, evaluate, and reduce greenhouse gas emissions under the Climate Act. One of the primary objectives of this regulation is to start with reporting from the most significant GHG emissions sources, using rigorous and consistent emission accounting methods, providing for the verification of reported data where necessary, and providing consistency for statewide GHG emissions accounting methodologies to the maximum extent possible.

4. Costs

Reporting Entities would bear limited costs for reporting and, if applicable, third-party verification. There are no other costs as a result of Part 253 beyond these costs, given that the regulation is a reporting-only rule. The cost of the regulation is limited to those associated with collecting data and maintaining records, if they are not already kept, and then in submitting the information on an annual basis to the Department. The reporting process and platform has been designed to provide a user-friendly, web-based platform, and participation would not require qualifications or expertise not already available to Reporting Entities. Furthermore, opportunities for participant training would be available. Lastly, third party verifiers must be accredited by the Department, this may result in minimal administrative costs to the verifiers, but the Department would not be charging a fee to accredit verifiers.

State and local governments may be Reporting Entities under Part 253. Any State and local entity that has a reporting obligation would incur limited costs under the program. The costs to State and local entities would be the same as all other entities subject to the program which, as described above, may include reporting or, for larger sources, verification costs.

The Department has designed the program to minimize, to the extent possible, any administrative costs that might be incurred. Where applicable, Part 253 has been designed to accept data that is already being reported to other State and federal agencies to reduce the administrative burdens under the program.

5. Local Government Mandates

The reporting program would apply equally to all GHG emission sources regardless of whether that GHG emission source is owned or operated by a local government entity. Local governments that own or operate GHG emission sources, such as waste to energy, landfills, or wastewater treatment plants, that trigger the applicability thresholds would have a reporting compliance obligation under Part 253. However, local governments would have no additional compliance obligations as compared to other Reporting Entities because this is not a mandate solely on local governments.

6. Paperwork

Part 253 is being designed to leverage, to the greatest extent possible, the use of data that is already being collected and reported to others. It is not expected to be unduly burdensome, as most records required by the regulations are required by other State and federal record keeping and reporting programs. Any additional requirements to provide information under Part 253 are also not expected to be burdensome, as sufficient flexibility is provided in the regulation to utilize existing formats and data submissions where available.

7. Duplication

This regulation does not conflict with any other existing federal or State regulations or statutes. The reporting program has been designed to leverage existing federal and State regulations and statutes to the maximum extent practicable and to avoid unnecessary duplication. Where necessary, as required by statute, the reporting program exceeds existing federal and State regulations and statutes.

8. Alternatives

The Department considered a no-action alternative infeasible because of State policy pursuant to the Climate Act, including the goal to achieve net zero emissions. The benefits of the regulation described above in Section 3 would be lost if no action is taken.

In assessing the need for the reporting regulation, the Department did not find alternatives to what is being adopted to be more effective in carrying out the purpose for which the regulation is intended, or to be as effective or justifiably less burdensome to affected private persons.

9. Federal Standards

This rule results in the imposition of requirements that exceed some minimum standards of the federal government. Part 253 is purposely designed to leverage existing federal and State reporting requirements while also bridging current gaps in reporting and accommodating unique qualities of emissions in New York State. For example, the federal Greenhouse Gas Reporting Program (GHGRP) requires reporting of GHG data and other relevant information from large sources and suppliers in the United States. However, Part 253 is designed to accommodate the scope of GHG emissions subject to the statewide GHG emissions levels under the Climate Act, as well as other ECL Article 75 requirements, and would therefore require more GHG emission sources to report and supply additional data than is required by the U.S. Environmental Protection Agency's (EPA) GHGRP. EPA recently announced its intent to reconsider the GHGRP. If EPA moves forward with action to reduce or eliminate these requirements, then information would still be required to be reported to the Department under Part 253. In this way, Part 253 will serve as a critical backstop to EPA action and help ensure GHG information is available to the State.

10. Compliance Schedule

Notwithstanding the following compliance schedule, Part 253 would be

effective 30 days after filing the Notice of Adoption with the Department of State.

Under Part 253, Reporting Entities would be required to submit all required data and emissions by June 1st in the year immediately following the calendar year the activity occurred. The first emissions reports for 2026 data and emissions would be due on June 1, 2027. In addition, the regulation has a calibration deadline under 253-1.4(g) that would require a filing for postponement immediately after the regulation is adopted. Further, under the proposal sources required to submit an Emissions Monitoring and Measurement Plan (EMMP) had until March 2026 to make that submission. Lastly Large Sources, subject to verification under Part 253, were to have that completed by August 10th, under the proposed regulation. In response to comments and to facilitate compliance at the start of the program, the Department has extended the calibration postponement filing and EMMP submission dates by 6 months to July and September, respectively. The Department also extended the verification deadline to December 1 for the first two years of the program.

The Department is obligated under SAPA to complete a three-year and five-year review of each regulation to determine if revisions are necessary.

¹ WMO (2025) “WMO confirms 2024 as warmest year on record at about 1.55°C above pre-industrial level,” World Meteorological Organization, January 10, 2025. <https://wmo.int/news/media-centre/wmo-confirms-2024-warmest-year-record-about-155degc-above-pre-industrial-level>

² Ibid.

³ Stevens, A., & Lamie, C., Eds. (2024). *New York State Climate Impacts Assessment: Understanding and preparing for our changing climate*. <https://nysclimateimpacts.org>.

⁴ United Nations Environment Programme. 2024. *Adaptation Gap Report 2024: Come hell and high water - As fires and floods hit the poor hardest, it is time for the world to step up adaptation actions*. <https://wedocs.unep.org/20.500.11822/46497>.

⁵ WMO (2024) “Greenhouse gas concentrations surge again to new record in 2023,” World Meteorological Organization, October 28, 2024. <https://wmo.int/news/media-centre/greenhouse-gas-concentrations-surge-again-new-record-2023>.

⁶ Allen, M.R. et al. 2018: Framing and Context. In: *Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty*. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 49-92. <https://doi.org/10.1017/9781009157940.003>.

⁷ Allen, M.R. et al. 2018 op cit.

Summary of Revised Regulatory Flexibility Analysis

1. Effect of Rule

Entities that would be required to comply with Part 253 are referred to as “Reporting Entities.” Reporting Entities would need to register with the reporting system and certify their GHG emissions. The New York State Energy Research and Development Authority and the Department of Environmental Conservation (Department) are currently working toward the development of a platform that would host and support the GHG reporting system required to implement Part 253. Reporting Entities would report GHG emissions through this reporting system by leveraging their existing activity data and published emission factors and methods. Third-party verification would be required for the most significant GHG emission sources to ensure the integrity of the emissions being reported. Any source that is required to verify their emissions and activity data would need to verify for three years after falling below their respective verification threshold.

2. Compliance Requirements

Entities that would be required to comply with Part 253 are referred to as “Reporting Entities.” Reporting Entities would need to register with the reporting system, report their GHG emissions, and certify their veracity. Third-party verification would be required for the most significant greenhouse gas (GHG) emission sources.

Categories of GHG emission sources regulated pursuant to Part 253 reflect the sources of GHG emissions used to establish the statewide GHG emission levels under Environmental Conservation Law (ECL) Article 75 and 6 NYCRR Part 496 as well as the annual New York State Statewide GHG Emissions Report or inventory issued pursuant to ECL Article 75. The Department is establishing three categories of reporting thresholds in Part 253, described below. Only one threshold category would apply to a GHG emission source. The threshold reporting categories would be as follows: (1) GHG emission source is a supplier of fuels, electricity, or fer-

tilizer; (2) GHG emission source is a facility responsible for more than 10,000 metric tons CO₂e of GHG emissions in a year; and (3) GHG emission source type has a specific operational activity. If a facility, fuel supplier, waste hauler/transporter, electric power entity or agricultural lime and fertilizer supplier meets the threshold for its applicable category, then the entity would have a mandatory reporting requirement under Part 253 and become a Reporting Entity.

As required by New York’s Climate Leadership and Community Protection Act (Climate Act), Part 253 includes reporting to improve the estimation of emissions associated with imported fossil fuels by collecting consistent information from fuel suppliers. The data to be collected will reflect inputs into fuel lifecycle models.

Part 253 includes reporting obligations on entities that supply fertilizer products. Reporting Entities may opt to report the same data that is already provided to the New York State Department of Agriculture and Markets.

Part 253 also includes reporting requirements on emissions and activity data related to the management of waste. Solid waste management in landfills is a source of methane emissions in New York. Emissions from solid waste combustion are currently estimated in line with the federal GHG reporting rule methodologies for stationary combustion. Part 253 differs from the federal GHG reporting rule in various ways in order to accommodate the Climate Act and unique characteristics of New York, reduce uncertainty in waste methane estimation, and other considerations. Facilities with activity levels below an applicable emission threshold may be able to comply with requirements in the anaerobic digestion and liquid storage of waste section through abbreviated reporting.

Part 253 also includes reporting requirements on the production of fluorinated GHGs and release of fugitive refrigerant GHGs in order to accurately inventory emission sources in the State. These reporting requirements compliment the recent amendment of 6 NYCRR Part 494.

3. Professional Services

It is anticipated that Reporting Entities would bear some professional service costs associated with reporting and verification under the rule. The administrative costs to Reporting Entities are expected to be minimal. The reporting process and platforms would not require qualifications or expertise not already available to Reporting Entities.

The costs for the verification of emissions would vary depending on the complexity of the facility. The Department estimates verification services could range from \$4,000 to \$17,000 annually. For facilities that are already highly regulated, the Department anticipates the cost to be approximately \$6,000 annually.

The Department does not have an exact estimate of the number of small businesses that might be affected by the regulation but notes that by leveraging what these businesses already report to the Department, or to other entities, costs will be minimized across all levels of reporters.

4. Compliance Costs

Local governments and small businesses may be subject to the same costs borne by other regulated entities if they perform a function resulting in significant emissions required to report pursuant to the rule.

5. Economic and Technological Feasibility

The Department considered the economic and technological feasibility to comply with the regulation. As such, the GHG reporting system process and platform has been designed to provide user-friendly, web-based platform, and participation would not require qualifications or expertise not already available to Reporting Entities.

6. Minimizing Adverse Impact

The Department has designed the regulation to leverage existing federal and State regulations and statutes to the maximum extent practicable.

The Department considered a no-action alternative infeasible because of State policy pursuant to the Climate Act, including the goal to achieve net zero emissions. The reporting rule is a necessary component towards the achievement of State policy.

In assessing the need for the reporting regulation, the Department did not find alternatives to what is being adopted to be more effective in carrying out the purpose for which the regulation is intended, or to be as effective or justifiably less burdensome to affected private persons. Staff has found no reasonable justification to exclude any of the sources that would be subject to reporting under the regulation.

In assessing the verification requirements of the regulation, the Department considered adding more stringency to the verification process. The Department did not see added value in increasing the verification requirements, as a resource problem could occur for verification bodies and the Department in the oversight process. This would make it harder for reporters and verifiers to meet verification deadlines.

Lastly the Department evaluated allowing for self-verification of emissions reports. The Department rejected this path based on years of reporting and self-verification that it has encountered under its emission statement program. Self-verified emission reports submitted under that program have been found to contain errors and factual misstatements.

With the interest of acquiring accurate reports, trained, experienced independent verifiers ensure the accuracy of these reports.

7. Small Business and Local Government Participation

There was extensive pre-proposal stakeholder outreach conducted from June 2023 through the end of 2024. Notifications regarding requests for feedback or public meetings were distributed via the Environmental Notice Bulletin (ENB), to key lists including Climate Action Council and Climate Justice Working Group, and to an email distribution list with representatives of regulated entities, community organizations, environmental groups, health professionals, labor unions, municipal corporations, trade associations, and other stakeholders. To date, over 6,200 public comments have been received regarding the design of the program.

A website to post stakeholder materials and to receive and post stakeholder comments has been maintained and updated continually. The website will also contain all formal documents associated with this rule making.

8. For Rules that Either Establish or Modify a Violation or Penalties Associated with a Violation

A cure period or other opportunity for ameliorative action is not included part of the rule because of the substantial lead time prior to compliance obligations beginning under the rule. Reporting Entities would be required to submit all required data and emissions by June 1st in the year immediately following the calendar year the activity occurred. The first emissions reports for 2026 data and emissions are due on June 1, 2027. In addition, the regulation has a calibration deadline under 253-1.4(g) that would require a filing for postponement immediately after the regulation is adopted. Further, under the proposal sources required to submit an Emissions Monitoring and Measurement Plan had until March 2026 to make that submission. Lastly Large Sources, subject to verification under Part 253, were to have that completed by August 10th, under the proposed regulation. In response to comments and to facilitate compliance at the start of the program, the Department has extended the calibration postponement filing and EMMP submission dates by 6 months to July and September, respectively. The Department also extended the verification deadline to December 1 for the first two years of the program.

9. Initial Review of Rule

The Department is obligated under State Administrative Procedure Act to complete a three- year and five-year review of each regulation to determine if revisions are necessary. Any changes to regulation identified through future program review would be implemented through future regulatory action to amend Part 253 which would follow the statutorily required SAPA process and include additional opportunities for public input.

Summary of Revised Rural Area Flexibility Analysis

1. Types and Estimated Numbers of Rural Areas

The rulemaking would apply statewide and there are no requirements in the rule that would only apply to rural areas.

2. Reporting, Recordkeeping and Other Compliance Requirements; and Professional Services

Entities that would be required to comply with Part 253 are referred to as "Reporting Entities." Some Reporting Entities are located in rural areas of the State. Reporting Entities would need to register with the reporting system and certify their GHG emissions. Reporting Entities would need to register with the reporting system, report their GHG emissions, and certify their veracity. Third-party verification would be required for the most significant greenhouse gas (GHG) emission sources.

Categories of GHG emission sources regulated pursuant to Part 253 reflect the sources of GHG emissions used to establish the statewide GHG emission levels under Environmental Conservation Law (ECL) Article 75 and 6 NYCRR Part 496 as well as the annual New York State Statewide GHG Emissions Report or inventory issued pursuant to ECL Article 75. The Department is establishing three categories of reporting thresholds in Part 253, described below. Only one threshold category would apply to a GHG emission source. The threshold reporting categories would be as follows: (1) GHG emission source is a supplier of fuels, electricity, or fertilizer; (2) GHG emission source is a facility responsible for more than 10,000 metric tons CO₂e of GHG emissions in a year; and (3) GHG emission source type has a specific operational activity. If a facility, fuel supplier, waste hauler/transporter, electric power entity or agricultural lime and fertilizer supplier meets the threshold for its applicable category, then the entity would have a mandatory reporting requirement under Part 253 and become a Reporting Entity.

As required by New York's Climate Leadership and Community Protection Act (Climate Act), Part 253 includes reporting to improve the estimation of emissions associated with imported fossil fuels by collecting consistent information from fuel suppliers. The data to be collected will reflect inputs into fuel lifecycle models.

Part 253 includes reporting obligations on entities that supply fertilizer products. Reporting Entities may opt to report the same data that is already provided to the New York State Department of Agriculture and Markets.

Part 253 also includes reporting requirements on emissions and activity data related to the management of waste. Some of these emissions and activities occur within rural areas. Solid waste management in landfills is a major source of methane emissions in New York. Emissions from solid waste combustion are currently estimated in line with the federal rule methodologies for stationary combustion. Part 253 differs from the federal GHG reporting rule in various ways in order to accommodate the Climate Act and unique characteristics of New York, reduce uncertainty in waste methane estimation, and other considerations. Facilities with activity levels below an applicable emission threshold may be able to comply with requirements in the anaerobic digestion and liquid storage of waste section through abbreviated reporting.

Part 253 also includes reporting requirements on the production of fluorinated GHGs and release of fugitive refrigerant GHGs in order to accurately inventory emission sources in the State. These reporting requirements compliment the recent amendment of 6 NYCRR Part 494.

3. Costs

It is anticipated that Reporting Entities would bear some professional service costs associated with reporting and verification under the rule. The administrative costs to Reporting Entities are expected to be minimal and would not vary between those entities located within rural areas and those outside of rural areas. The reporting process and platforms would not require qualifications or expertise not already available to Reporting Entities.

The costs for the verification of emissions would vary depending on the complexity of the facility. The Department estimates verification services could range from \$4,000 to \$17,000 annually. For facilities that are already highly regulated, the Department anticipates the cost to be approximately \$6,000 annually.

The Department does not have an exact estimate of the number of small businesses in rural areas that might be affected by the regulation but notes that by leveraging what these businesses already report to the Department, or to other entities, costs will be minimized across all levels of reporters.

Local governments and small businesses, including those located in rural areas, may be subject to the same costs borne by other regulated entities if they perform a function resulting in significant emissions required to report pursuant to the rule.

4. Minimizing Adverse Impact

The Department has designed the regulation to leverage existing Federal and State regulations and statutes to the maximum extent practicable.

The Department considered a no-action alternative infeasible because of State policy pursuant to the Climate Act, including the goal to achieve net zero emissions. The reporting rule is a necessary component towards the achievement of State policy.

In assessing the need for the reporting regulation, the Department did not find alternatives to what is being adopted to be more effective in carrying out the purpose for which the regulation is intended, or to be as effective or justifiably less burdensome to affected private persons. Staff has found no reasonable justification to exclude any of the sources that would be subject to reporting under the regulation.

In assessing the verification requirements of the regulation, the Department considered adding more stringency to the verification process. The Department did not see added value in increasing the verification requirements, as a resource problem could occur for verification bodies and the Department in the oversight process. This would make it harder for reporters and verifiers to meet verification deadlines.

Lastly the Department evaluated allowing for self-verification of emissions reports. The Department rejected this path based on years of reporting and self-verification that it has encountered under its emission statement program. Self-verified emission reports submitted under that program have been found to contain errors and factual misstatements. With the interest of acquiring accurate reports, trained, experienced independent verifiers ensure the accuracy of these reports.

5. Rural Area Participation

There was extensive pre-proposal stakeholder outreach conducted from June 2023 through the end of 2024. Notifications regarding requests for feedback or public meetings were distributed via the Environmental Notice Bulletin (ENB), to key lists including Climate Action Council and Climate Justice Working Group, and to an email distribution list with representatives of regulated entities, community organizations, environmental groups, health professionals, labor unions, municipal corporations, trade associations, and other stakeholders. To date, over 6,200 public comments have been received regarding the design of the program.

A website to post stakeholder materials and to receive and post stakeholder comments is maintained and updated continually. The website will also contain all formal documents associated with this rule making.

6. Initial Review of Rule

The Department is obligated under State Administrative Procedure Act to complete a three- year and five-year review of each regulation to determine if revisions are necessary. Any changes to the regulation identi-

fied through future program review would be implemented through future regulatory action to amend Part 253, which would follow the statutorily required SAPA process and include additional opportunities for public input.

Revised Job Impact Statement

1. Nature of Impact

The regulation for mandatory reporting of GHG emissions and the associated data collected is not anticipated to substantially impact employment opportunities in New York but rather would improve the annual New York State Statewide GHG Emissions Report, provide a mechanism to track emissions trends, support emission reduction strategies and monitor their effectiveness. The regulation is a central component of the State's efforts to quantify, evaluate, and reduce greenhouse gas emissions under the Climate Act.

2. Categories and Numbers Affected

Entities that would be required to comply with Part 253 are referred to as "Reporting Entities." The applicability provisions established in the proposal for Reporting Entities are to ensure comprehensiveness of information, ensure the accuracy of GHG emissions from all applicable sources and sectors, address the needs for additional complementary regulatory actions or programs, provide additional information to support the continued refinement of the annual New York State Statewide GHG Emissions Report, and more.

Some job creation may result from third-party verification which would be required for the most significant GHG emission sources to ensure high integrity for the emissions being reported. Specifically, third-party verification would be required for any GHG emission data reports where the GHG emission source exceeds predetermined thresholds for its emission source category in Part 253 over a specified period of time.

3. Regions of Adverse Impact

No regions of New York State are anticipated to bear a disproportionate adverse impact on jobs or employment opportunities as a result of the regulation.

4. Minimizing Adverse Impact

The regulation is not anticipated to result in an adverse impact on employment opportunities in New York and may create limited new job opportunities through the requirement of third-party verification for the most significant GHG emission sources. Additionally, the rule was purposely designed to leverage existing federal and State reporting requirements while also bridging current gaps in reporting and accommodating unique qualities of emissions in New York State. This design is intended to keep the cost of compliance with the regulation low while maximizing data collection.

5. Self-Employment Opportunities

The regulation is not anticipated to create self-employment opportunities.

6. Initial Review of Rule

The Department is obligated under State Administrative Procedure Act (SAPA) to complete a three-year and five-year review of each regulation to determine if revisions are necessary. Any changes to the regulation identified through future program review would be implemented through future regulatory action to amend Part 253 which would follow the statutorily required SAPA process and include additional opportunities for public input.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2028, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

As part of the State's ongoing efforts to gather information regarding sources of air pollutant emissions and to support the reduction of emissions pursuant to the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (Climate Act), the New York State Department of Environmental Conservation (Department) is establishing a mandatory greenhouse gas (GHG) reporting program that would require certain GHG emission sources to report emissions to the Department. The reporting program would be implemented through new 6 NYCRR Part 253, "Mandatory Greenhouse Gas Reporting Program" (Part 253). The Department also includes attendant revisions to 6 NYCRR Part 200 to capture all incorporation by reference documents from Part 253.

3,043 total comment-letters were received: 181 very detailed unique comment-letters from businesses, organizations, and institutions; 229 unique comment-letters from individuals; and 2,603 form letters (the remainder were duplicate submissions). 721 letters generally supported the rule.

Design Considerations

Many stakeholders that are environmentally and justice focused discussed the needs and benefits of such a rule and for further regulation.

Commenters stated that there are many Disadvantaged Communities

(DACs) in New York State and note these communities must be protected and that this rule is a first step towards that process. Some commenters stated that it is important that co-pollutants are integrated into the reporting program. While another mentioned they would prefer third-party verification for all sources, not only large emission sources. They also provided a longer list of recommended program design changes, ranging from verification to how funding should be allocated. The Department responded to each by explaining the reasoning behind each design decision.

A number of commenters support transparency for emissions data, emission factors, and development of methods. Some commenters suggested data formats such as an interactive Geographic Information System (GIS) map. The Department replied that it intends to publish emissions data, develop public reports, and potentially expand the data posted to DECinfo Locator.

Many commenters urge the Department to ensure the regulation is clear and encourage minimizing the complexity and burden of the regulation. Some commenters are concerned complexity may lead to double counting. In response, the Department has provided additional clarity through non-substantial revisions to the regulation. Noting throughout that the Department seeks to minimize the burden of the regulation by aligning requirements with information already reported to other programs when possible.

Commenters are concerned about balancing the cost burden of regulations with the need for action around emissions reductions in the State. Some commenters support expanding the reporting and lowering thresholds, while others support increased thresholds and fewer reporting requirements. The Department explained that it chose the reporting threshold to encompass the majority of Statewide emissions without placing an undue burden on small facilities with few emissions. The Department expects administrative costs associated with this regulation will be minimal.

Several commenters are concerned that data that must be reported under the upstream out-of-state requirements may be difficult or impossible for fuel suppliers to obtain. The Department responded by making a non-substantial revision to remove the reporting requirements under 253-2.18(b)(4)(vi)('a')-('d'). Further explaining that other requirements remain as they are intended to improve the fuel lifecycle models used to generate upstream out-of-state emission factors and are often reported elsewhere.

Many commenters expressed concern about the reporting burden on Concentrated Animal Feed Operations (CAFOs). The Department responded by noting that it has aligned reporting with information CAFOs already report to other federal and State programs to minimize the burden.

Implementation

Many commenters recommended the first emissions reports be due in 2026 rather than 2027. Commenters also asked the Department to engage with regulated entities as the rule is implemented. Based on the complexity of the rule and stakeholder input, the Department rejected the recommendation to have the first emissions reports be due in 2026. The Department will provide guidance and trainings to Reporting Entities to help ensure greater compliance with the regulation.

Many commenters suggested delaying, staggering, or phasing in the rule start. Several commenters also believe that the Department needs another comment period to address the complexity of the rule. In its response, the Department indicated the timeline for Part 253 is appropriate and that there is no need to delay implementation.

Reporting Rules

Commenters suggested exemptions for reporting including for emergency generators, as well as continuously-operating facilities, various de minimis sources like pilot lights and research, closed facilities like landfills, agriculture, compressed natural gas, liquid natural gas transit, biogas, and renewable fuels. The Department replied to each specific ask by explaining why the information was needed and how sources should be able to provide the data required.

Several commenters requested guidance on how specific Reporting Entities should make a demonstration to the agency that fuels were not combusted or used as fuel to qualify for the exemptions included under 253-2.7, 253-2.15, 253-2.16, and 253-2.17. The Department agreed and provided additional clarity through non-substantial revisions to the express terms in 253-2.7(q)(ii), 253-2.15(a)(2)(ii), 253-2.16(b)(6)(ii), and 253-2.17(b)(15)(ii).

Commenters suggested different reporting thresholds, including that Reporting Entities in DACs should have lower thresholds, whereas others noted that reporting thresholds should be higher. Some commenters asserted that all sources of GHG emissions should report, or all polluters should be required to report their emissions, and that the thresholds should be phased in. The Department's reply noted that the applicability categories and associated thresholds are set appropriately.

Subject to Reporting

Some commenters ask for clarification on determining initial applicability for sources and, in the case of suppliers determining who along the

supply chain must support. The Department provides additional clarity in its response to each comment.

Some commenters recommended the Department make changes to the emission factors and language used for customer gas meters. Where applicable, the Department made non-substantial changes to provide additional clarity and updates to the regulation to utilize the most recent emission factors.

What gets Reported

Some commenters support the inclusion of agricultural sources in the regulation. Others requested that the rule exclude closed landfills. Many commenters recommended enteric methane emissions from livestock and from the land application of manure be included in the rule. In response to the first part, the Department explained why sources were included in the regulation. To address the enteric emissions comments, the Department recognized the importance of including enteric emissions and emissions from land-applied manure and noted that the Department accounts for both in the annual New York State Statewide GHG Emissions Report.

Multiple commenters requested clarification regarding applicability thresholds for manure processed in a digester. In response, the Department made non-substantial changes to the express terms under 253-2.2(a)(1)(viii) to state, “any other waste that contains 600 MT of degradable organic carbon.”

Many commenters highlighted the importance of accurate methane emissions accounting and urged the Department to include direct measurement and advanced technologies. In response, the Department highlighted the additional methane data collection requirements for certain Reporting Entities under 253-2.20, including direct measurement and monitoring for operators of anaerobic digestion and storage of liquid waste who are not applicable to abbreviated reporting, and operators of solid waste landfills with reported annual emissions exceeding 300,000 MT CO₂e emissions.

Some commenters strongly support accounting for upstream out-of-state emissions, while others suggested that it is burdensome. In its response, the Department identified why it was required and how the rule was developed to minimize reporting burdens.

Measurements & Calculations

Commenters requested the basis or source for various methodologies and emission factors. The Department responded by providing this information in response to the comments.

Many commenters were concerned with the accuracy of emissions factors in determining GHG emissions. The commenters recommended the Department require direct measurement and monitoring at the facility level for all greenhouse gases across industry sectors. The Department replied that the current requirements for monitoring and disclosure of information strike the correct balance for emission sources covered by applicable sections of the regulation. Further noting that continuous emissions monitors are typically only required for very large combustion sources and requiring this type of monitoring for all sources is not warranted at this time.

Some commenters support the use of a twenty-year global warming potential (GWP20) while many others disagree with the use of a GWP20 for various reasons including but not limited to cost and burden, inconsistency with other jurisdictions and programs, and risk accurately benchmarking. In its response, the Department explained that the use of GWP20 is consistent with the Climate Act and that its use allows for better emissions estimates for near-term rulemakings to reduce emissions.

Some commenters asked that Part 253 allow for more granular data. The Department replied that in some instances, the rule already allows for the use of more granular data as an option. Further, where feasible, the Department added additional granularity data options through non-substantial revisions by adding more location specific emission factors.

Multiple commenters urged the Department not to allow offsets of biogenic carbon emissions. The Department agreed and highlighted in response to these comments that Part 253 includes provisions to ensure a full accounting of emissions from every Reporting Entity, that there are no offset provisions included in Part 253, and that Reporting Entities will not be allowed to subtract from their CO₂ emissions.

Commenters have asked that the Department establish an expert panel to determine the best approach to estimate emissions from CAFOs and that they should be exempt until such a panel concludes. In its reply, the Department explained that it had consulted various stakeholders and experts during the preproposal stakeholder process and that it has leveraged existing State reporting requirements where applicable to minimize the reporting burden. The Department further explained that the requirements of Part 253 are not overly burdensome and that it will examine if and how an expert panel may be utilized during implementation of the program.

Verification

Commenters that would be required to verify emissions stated that third-party verification is costly, burdensome, and unnecessary. Commenters suggested that there should be exemptions from verification requirements,

while others stated that verification requirements should be expanded. The Department replied that the verification program is a crucial element of the rule and that the current applicability for third-party verification will ensure the necessary accuracy of reported data from the largest sources covered by the program. The Department also explained that the cost estimates were stated in the Regulatory Impact Statement (RIS). The costs for full verification will be highest in the first year but with a positive verification statement from the first year, large emission sources would be able to obtain less intensive verification services, which are anticipated to cost 30-50 percent less.

Commenters asked for initial flexibility on verification reporting due to various concerns about timeframe and verifier availability. The Department replied that it believes there will be enough verifiers because it is accepting American National Standards Institute, California Air Resources Board, and Department accreditation. Nevertheless, to provide more time the Department made non-substantial revisions to the express terms extending the verification report deadline from August 10 to December 1 for the first two years.

Impacts

A number of commenters including small businesses, small fuel suppliers, farms, and wastewater treatment plants are concerned that the reporting program will result in financial and administrative burdens. In its reply, the Department noted that the regulation is designed to focus on the largest sources of GHGs and reflects the complexity of a variety of business entities operating in the State. The Department also explained that one of the purposes of the program is to improve the GHG emissions inventory data for use by both the Department and stakeholders. The Department concluded that it intends to develop training and guidance to aid Reporting Entities in completing the reporting requirements thereby minimizing their administrative burden.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Amendments to CO₂ Budget Trading Program in NY

I.D. No. ENV-49-25-00015-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 200 and 242 of Title 6 NYCRR; amendment of Part 507 of Title 21 NYCRR. This rule is proposed pursuant to SAPA section 207(3), 5-Year Review of Existing Rules.

Statutory authority: Environmental Conservation Law, sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105, 75-0101, 75-0103, 75-0105, 75-0107 and 75-0109

Subject: Amendments to CO₂ budget trading program in NY.

Purpose: Regulation of CO₂ emissions from power plants in NY.

Public hearing(s) will be held at: 2:00 p.m., Feb. 9, 2026 at via Webex; 6:00 p.m., Feb. 9, 2026 at via Webex.

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

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

Substance of proposed rule (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations>): The New York State Department of Environmental Conservation (department) is proposing to amend 6 NYCRR Part 242. The purpose of the amendment would be to reduce the annual budget of allowances, implement second tier cost containment reserve (CCR) and increase the size of the first tier of CCR allowances. The emissions containment reserve would be removed, and the minimum reserve price would be increased to the value of emissions containment reserve (ECR). Offset projects would be removed, while historically awarded offset allowances remain valid as compliance instruments. Eligible biomass would be removed, and other text would be revised to improve clarity and simplify language. Notable proposed amendments to Part 242 are described below. Additional minor, non-substantive, grammatical, and formatting changes are proposed in each Subpart as needed. The remaining sections of Part 242 are unchanged. The department also proposes attendant revisions to 6 NYCRR Part 200 to update incorporations by reference contained in Part 242. As the auction administrator, the New York State Energy Research and Development Authority has proposed revisions to the CO₂ Allowance Auction Program as set forth in

Part 507 of Title 21 NYCRR, which are designed to complement revisions proposed by the department.

Changes to section 242-1.2 (Definitions) include:

- Allocate or allocation: reference to the general account of the sponsor of an approved CO₂ emissions offset project is removed
- Award: repealed
- Billing meter: repealed
- CO₂ Allowance Tracking System (COATS): amended to add new administrative functions, delete language regarding offsets, allowance prices, and CO₂ budget tracking
 - CO₂ allowance transfer deadline: repealed and replaced
 - CO₂ budget emissions limitation: revised to include that the CO₂ allowances for interim control period are doubled
 - CO₂ Budget Trading Program adjusted budget: repealed
 - CO₂ Budget Trading Program base budget: amended to include references to CO₂ CCR tier 1 and tier 2 allowances
 - CO₂ cost containment reserve tier 2 allowance or CO₂ CCR tier 2 allowance: added
 - CO₂ Cost containment reserve tier 1 and 2 trigger price, or CCR tier 1 and 2 trigger price: added
 - CO₂ emissions offset project: revised
 - CO₂ offset allowance: amended to include deadline and remove the reference
 - CO₂ emissions containment reserve allowance or CO₂ ECR allowance: repealed
 - CO₂ Cost containment reserve trigger price, or CCR trigger price: repealed
 - CO₂ emissions containment reserve trigger price, or ECR trigger price: repealed
 - Eligible biomass: repealed
 - First control period interim adjustment for banked allowances: repealed
 - Global warming potential (GWP): repealed
 - North American Industry Classification System (NAICS) code(s): added
 - Second control period adjustment for banked allowances: repealed
 - Third adjustment for banked allowances: repealed
- Section 242-5.1: repealed and replaced to reflect a reduction in the annual budget of allowances from 21,914,493 tons allowances in 2027 to 2,347,982 tons allowances in 2037
- Section 242-5.2: repealed
- Section 242-5.3: amended to include 6 NYCRR 242-5.3(a) provision that, in support of the statewide goal of the CLCPA, at least 40% and no less than 35% of the overall benefits from the related investments must be realized in disadvantaged communities. 6 NYCRR 2425.3(b) is added to include CO₂ CCR tier 1 and tier 2.
 - Section 242-5.3(b)(1)(i): repealed and replaced with new allocations for 2027 and subsequent years; the department would allocate 3,687,535 CO₂ CCR tier 1 and 3,687,535 CO₂ CCR tier 2 allowances to the energy efficiency and clean energy technology account. Table 6 is removed.
 - Sections 242-5.3(b)(2)(iii-iv, vi, viii) are added to specify new provisions about the auctioning process for CCR tier 2 allowances.
 - Section 242-5.3(b)(2)(x) has been added to include that if a certain condition in subparagraph(iii) is not satisfied, no CO₂ CCR tier 2 allowances shall be auctioned, and the reserve price shall be determined accordingly. Two new clauses have been added to subparagraph (x) to specify that if the condition of subparagraph (i) is met, the reserve price shall be equal to CCR tier 1 trigger price, otherwise, the reserve price will be set at the minimum reserve price.
 - Section 242-5.3(b)(4) has been added to clarify that any CCR tier 1 and tier 2 allowances left in the energy efficiency and clean energy account after the final auction of the year shall not be carried over for future auctions or sale.
 - Section 242-5.3(c): repealed
 - Section 242-5.3(d): has been renumbered to subdivision (c) and amended to include Table 4 VREM Set-aside Allocations by year, lower the number of allowances distributed to the set-aside, remove all references to eligible biomass, clarify that department may use an emission factor different from that provided by VREP applicant, and clarify the procedures the department would undertake if the allowances requested were greater than the allowances in an allocation year.
 - Section 242-5.3(e): has been renumber to subdivision (d) and amended to include Table 5 LTC Set-aside Allocation by Year, lower the number of allowances distributed to the set-aside, end allocations to the set aside in 2036, and clarify the procedures the department would undertake if allowances requested were greater than the allowances in an allocation year.
 - Section 242-5.3(f): repealed
 - Section 242-6.1(a): amended to clarify use of compliance accounts and allocation of CO₂ allowances for long-term contract.
 - Section 242-6.4(a): amended to remove language related to transfer al-

lowances from CO₂ budget trading program adjusted budget to the program review retirement set aside upon the effective date of the 2020.

Section 242-8.1: repealed and replaced with text simplifying references to monitoring requirements but not changing monitoring requirements.

Section 242-8.2: repealed

Section 242-8.3: repealed

Section 242-8.4: repealed

Section 242-8.7: repealed

Subpart 242-10: repealed

6 NYCRR Part 200 Summary

Amends existing Part 200 by making additions and removals to 200.9 Referenced Material-Table 1 to capture all incorporation by reference documents from Part 242.

21 NYCRR Part 507 Summary

Amends existing Part 507 by making additions and removals to add a second-tier cost containment reserve, remove the emissions containment reserve, and raise the minimum reserve price.

Text of proposed rule and any required statements and analyses may be obtained from: Nathan Putnam, Department of Environmental Conservation, 625 Broadway, Albany NY 12233, Division of Air Resources, 11th Floor, (518) 402-8451, email: air.regs@dec.ny.gov

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

Public comment will be received until: February 17, 2026.

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

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

Reasoned Justification for Modification of the Rule

This proposed modification of the existing 6 NYCRR Part 242 and Part 200, along with 21 NYCRR Part 507 is in accordance with the 5-year review of existing rules. The proposed modifications of the existing rules: establishes new annual CO₂ allowance budgets for 2027 through 2037, establishes a new tier of cost containment reserve allowances, removes the emissions containment reserve, raises the minimum reserve price, removes offset projects, removes eligible biomass provisions, and reduces the number of allowances set aside for long term contracts and voluntary renewable energy purchases.

These amendments are being proposed after extensive consideration and modeling of technology costs, economic conditions, and environmental policy following review of public comment. These considerations were explored throughout the third program review, are further described in the regulatory impact statement and supported modifications of the rules. Modification of the rules is anticipated to marginally increase the gross state product and marginally decrease electricity bills through the investments of proceeds acquired by auctioning CO₂ allowances. The reduction of the annual CO₂ allowance budget is anticipated to support the reduction of greenhouse gas emissions and protect the health and welfare of New York State residents. The modification of the CO₂ allowance budget could provide societal benefits ranging from 2.6 to 15.8 billion dollars.

Summary of Regulatory Impact Statement (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations/>):

The Regional Greenhouse Gas Initiative (RGGI) is a cooperative, historic effort among New York and nine Participating States, and is the first mandatory, market-based carbon dioxide (CO₂) emissions reduction program in the United States. Since its inception in 2008, RGGI has utilized a market-based mechanism to cap and cost-effectively reduce emissions that cause climate change. Recently, New York along with the Participating States completed a comprehensive program review and announced a proposal to lower the regional emissions cap established under RGGI to approximately 69.8 million tons in 2027, declining about 89%, relative to the 2024 cap, through 2037. To implement the updated RGGI program in New York State, the Department of Environmental Conservation (Department) has proposed revisions to 6 NYCRR Part 242, CO₂ Budget Trading Program (the Program) and 6 NYCRR Part 200, General Provisions. As the auction administrator, the New York State Energy Research and Development Authority ("NYSERDA") has proposed revisions to the CO₂ Allowance Auction Program as set forth in Part 507, which are designed to complement revisions proposed by the Department.

The statutory authority to revise the Program derives primarily from the Department's authority to use all available practical and reasonable methods to prevent and control air pollution, as set out in the ECL at Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105, 75-0101, 75-0103, 75-0105, 75-0107, and 75-0109. The Allowance Auction Program (21 NYCRR Part 507) will also be revised by NYSERDA as part of this rulemaking. The statutory

authority to revise the Allowance Auction Program is derived from NYSERDA's authority under PAL 1854 and 1855.

The Department complied with Sections 202-a, 202-b and 202-bb of the State Administrative Procedures Act through an extensive regional program review process that included public participation by all Participating States. New York and the Participating States had committed to a comprehensive program review during the initial development of RGGI and agreed to evaluate program success, program impacts, additional emissions reductions, and other program revisions. The Participating States initiated the most recent program review in February 2021, with the release of a statement announcing the plan for the Third Program Review. The Participating States and RGGI Incorporated (RGGI, Inc.) conducted at least six stakeholder meetings and webinars during this third program review period, during which they obtained public input on a number of program elements. Prior to each stakeholder meeting, agency staff and RGGI, Inc. distributed pertinent material to participants via email and posted meeting documents on the RGGI, Inc. website. The stakeholder meetings were open to the public and all interested parties were encouraged to provide comment. All stakeholder comments were ultimately considered in the development of the Updated RGGI Model Rule, which contained detailed model regulatory text, and was released to the public on July 3, 2025.

The primary need for this rule making is to protect the health and welfare of New York State residents and resources by incentivizing GHG emission reductions across the Northeast Region, in support of the levels of the Climate Act.

New York State is already feeling the effects of climate change. In fact, the last 10 years have been the hottest on record globally, with 2024 surpassing 2023 as the hottest on record at 1.55 °C above pre-industrial levels. Despite the commitment by national governments to limit global warming to under 1.5 °C, global temperatures temporarily exceeded 1.5 °C for a 12-month period for the first time in 2023 and again in 2024. As discussed in the most recent New York State Climate Impacts Assessment and United Nations Adaptation Gap Report, the world has seen ocean heat on the rise, extreme weather and climate events that have led to massive economic and human losses, with detrimental impacts on human health, sustainable development and widening inequalities. Disadvantaged communities are hardest hit and continue to bear the brunt of the harmful effects of human-caused climate change.

Furthermore, there is an urgent need for states to carefully track and monitor GHG emissions, as well as for communicating this information and understanding the increasing risk from climate change. CO₂ concentrations in 2024 set a new record high of 422.1 parts per million (ppm), an increase in atmospheric CO₂ concentrations of 2.9 ppm over the previous year. CO₂ is accumulating in the atmosphere at a faster rate than ever before in human existence, and the long life of CO₂ in the atmosphere amplifies future temperature increases. The world is on track to maintain temperatures 1.5°C above pre-industrial levels and to see the impacts of climate tipping points.

The reduction in the CO₂ emissions cap represents a critical step to combat the significant challenges presented by climate change and to advance sound energy policies that foster energy efficiency, a reduction in reliance on fossil fuels, and energy independence.

The Program revisions would cap regional emissions at approximately 69.8 million tons beginning in 2027 and would reduce that level by about 8.5 million tons per year through 2033, then decline by about 2.4 million tons per year through 2037. The proposed cap decline between the existing 2027 cap of 75 million tons and the 2037 cap of about 9 million tons is roughly 88%. After 2037, the regional cap would remain at about 9 million tons annually absent future revisions to the Program.

To provide flexibility and cost containment the Program revisions would expand the CCR program feature by adding another additional tier of allowances, increasing the number of allowances in the CCR, and establishing prices for these new allowances. While the revisions to the Program retain the CCR program feature, the revisions would increase the regional volume of allowances in the first CCR tier to approximately 11.75 million allowances and establish the second CCR tier also at 11.75 million allowances starting in 2027. The trigger price of CCR 1 would match the existing price of \$19.50 in 2027 and increase 7% annually. The Trigger Price for CCR 2 would be established at \$29.25 in 2027 and increase 7% annually. The proposed Program revisions eliminate the Emissions Containment Reserve (ECR) and increase the minimum reserve price to the value of the existing ECR. The new minimum reserve price would be \$9.00 in 2027 and increase 7% annually. No allowances would be auctioned below the minimum reserve price.

The proposed revisions to the Program would remove the one remaining offset project type in NY, for avoided methane emissions from agricultural manure management operations. Any existing offset allowances awarded by a participating state prior to January 1, 2027, are fully fungible within the constraints of the program. Additional offset allowances are not anticipated to be awarded before January 1, 2027.

New York is proposing revisions to remove eligible biomass considerations from the Program. Following the removal, no budget source would be able reduce their compliance obligation for CO₂ emissions by burning biomass. Additionally, the proposed revisions would remove the eligible biomass portion of the Voluntary Renewable Energy and Eligible Biomass set-aside. Allowing the burning of biomass without a compliance obligation was viewed by stakeholders as against the goals of the program. The proposed revisions would change the set-aside allocation from a flat annual amount to a number of allowances that reduces over time in alignment with the decreasing New York budget. In the event that demand for this set-aside exceeds the allowances set aside in a given year, the unretired allowances from previous years may be retired on the behalf of the applicant.

New York is also proposing to reduce the annual volume of the Long-Term Contract set-aside allocation over time and stop setting aside allowances with the 2036 allocation year. The proposed trajectory is anticipated to provide adequate allowances for the one remaining applicant to complete its long-term contract in 2036. The annual allocation of allowances would eventually fall below the expected annual demand, and the Department proposes compensating for that by allocating allowances to the applicant from unallocated allowances in the set-aside from previous allocation years.

Actions in New York will have local and statewide benefits. Significant economic opportunities and environmental and health co-benefits such as reduced air pollution and improved public health are expected from programs that mitigate GHG emissions. The proposed reduction of the regional emissions cap by about 88% from 2027 to 2037 would result in substantial CO₂ emission reductions, within the Participating States. The societal impact of emission reductions in New York could range between \$2.6 and \$15.8 billion cumulatively between 2027 and 2037.

Projected benefits from the revisions are detailed in the Regulatory Impact Statement and reflect the outcome of the policy adoption under a range of scenarios. The range of outcomes are presented as the incremental impact from the comparison of the Current Allowance Price Case with Policy Case B, which reflects a future with the updated RGGI policy and the full achievement of states' clean energy policies, and the incremental impact from the comparison of the Current Allowance Price Case with Policy Case A, which reflects the updated RGGI policy and a more pessimistic deployment of clean energy resources.

The macroeconomic modeling results conducted for the participating states reflect the potential impacts associated with the revisions to the Program (including the investment of auction proceeds in an estimated portfolio of energy efficiency, clean energy and carbon abatement programs). The study estimates that the cumulative changes in New York's Gross State Product and Personal Income associated with the revisions to the program will be about \$7 billion and \$2.7 billion, respectively, for Case A and about \$777 million and \$1.7 billion, respectively, for Case B. These are in 2022 dollars as the present value of estimated annual changes over the period 2025 to 2040. In the context of New York's total Gross State Product and total Personal Income these changes represent small but positive changes.

When accounting for the benefits associated with the re-investment of proceeds for Case B, bill impacts are forecasted to show an insignificant change and are estimated to decrease \$0.24/month (-0.27%) for a representative residential customer. Similarly, representative commercial and industrial customers are estimated to experience a decrease of \$2.17/month (-0.44%) and \$82.67/month (-0.57%), respectively.

When accounting for the benefits associated with the re-investment of proceeds for Case A, bill impacts are again forecasted to show an insignificant change and are estimated to decrease \$0.10/month (-0.14%) for a representative residential customer. Similarly, representative commercial and industrial customers are estimated to experience a decrease of \$0.93/month (-0.24%) and \$35.50/month (-0.31%), respectively.

The proposed Program revisions also include other minor clarifying edits and minor updates to all references. These updates are also recorded in updates to 6 NYCRR Part 200. Additionally, 21 NYCRR Part 507 would be updated to align with the adjustments to the CCR feature and removal of the emissions containment reserve.

Regulatory Flexibility Analysis

The Regional Greenhouse Gas Initiative (RGGI) is a cooperative, historic effort among New York and nine Participating States and is the first mandatory, market-based carbon dioxide (CO₂) emissions reduction program in the United States. Since its inception in 2008, RGGI has utilized a market-based mechanism to cap and cost-effectively reduce emissions that cause climate change. Recently, New York along with the Participating States, completed a comprehensive program review and announced a proposal to lower the regional emissions cap established under RGGI to approximately 69.8 million tons in 2027, declining about 89%, relative to the 2024 cap, through 2037. Accordingly, New York and the Participating States committed to propose revisions, pursuant to state-

specific regulatory processes, to their respective CO₂ Budget Trading Programs to further reduce CO₂ emissions from power plants in the region. To implement the updated RGGI program in New York State, the Department of Environmental Conservation (Department) has proposed revisions to 6 NYCRR Part 242, CO₂ Budget Trading Program (the Program) and 6 NYCRR Part 200, General Provisions. As the auction administrator, the New York State Energy Research and Development Authority (“NYSERDA”) has proposed revisions to the CO₂ Allowance Auction Program as set forth in Part 507, which are designed to complement revisions proposed by the Department. The revisions to the Program continue to ensure significant ancillary public health benefits by simultaneously reducing CO₂ and other harmful pollutants.

EFFECT ON SMALL BUSINESSES AND LOCAL GOVERNMENTS

No small businesses would be directly affected by the adoption of the Program revisions. The only local governments affected by the revisions to the Program would be the Jamestown Board of Public Utilities (JBPU), a municipally owned utility which owns and operates the S. A. Carlson Generating Station (SACGS), and the Village of Freeport, which owns and operates the Freeport Power Plant No. 2 (FPPN2). These two local governments are currently complying with the regulation and would continue to experience the impact of the Program in relation to their continued operation of the listed power plants. The costs associated with the revisions to the Program would be similar to those incurred by other privately held sources and would depend upon each entity’s need to solicit consultants or contractors for its compliance.

COMPLIANCE REQUIREMENTS

The proposed rule lowers the number of allowances available for compliance each year 2027 through 2037, increases the volume of cost containment reserve allowances and establishes a second tier of these allowances at a higher reserve price, and additional measures as more fully described in the accompanying Regulatory Impact Statement. The JBPU, as owner and operator of the SACGS, and the Village of Freeport, as owner and operator of Freeport Power Plant No. 2, would need to continue to comply with the Program. The local governments have no new compliance requirements, the impact of the revisions to the regulations will mostly be felt through the reduction in regionally available allowances as the regional cap decreases through 2037. This impact is lowered by the increased availability of cost containment reserve allowances.

PROFESSIONAL SERVICES

There are two local governments affected by the revisions to the Program, the Jamestown Board of Public Utilities (JBPU) and the Village of Freeport, and like privately held sources, they may need to solicit professional consultants and contractors for continued compliance with the Program. The revisions to the Program are not anticipated to change the professional services required by local governments. The Department also confirmed that no capital improvements to plant operations will be needed for JBPU’s or the Village of Freeport’s compliance with the Program revisions.

COSTS

A limited number of local governments will incur costs. The Jamestown Board of Public Utilities (JBPU), a municipally owned utility, owns and operates the S.A. Carlson Generating Station (SACGS). The Village of Freeport owns and operates Freeport Power Plant No. 2(FPPN2). Emissions monitoring at SACGS and FPPN2 currently meets the monitoring provisions of the Program, and no additional monitoring costs will be incurred under the revisions to the Program. Notwithstanding this, just like any other owner or operator of any source subject to the Program, the JBPU and the Village of Freeport will need to purchase CO₂ allowances equal to the number of tons of CO₂ emitted. The Department limited the analysis of costs to the purchase of allowances to comply with the Program and assumed that the costs of allowances will be between \$8.55 in 2028 and \$28.20 in 2037 (in 2022 \$) per ton for CO₂ under the proposed revisions. To estimate total costs for SACGS and FPPN2, the Department reviewed 2022 through 2024 emissions from affected units. An estimate of compliance costs, based on these emissions values, indicates that purchasing allowances to cover emissions would range between a low of \$165,955 and a high of \$1.2 million annually for SACGS and between a low of \$125,223 and a high of \$970,672 annually for FPPN2. These costs will eventually be passed on to the consumers of electricity from the JBPU and the Village of Freeport. The estimated compliance costs in this paragraph are costs associated with compliance with the Program overall, meaning that the incremental cost of compliance associated with the revisions to the Program would be less. The Department limited the analysis of existing costs by evaluating recent auction prices and CO₂ emissions for these two local governments. The auctions conducted from 2022 through 2024 averaged \$15.61 per allowance. If SACGS and FPPN2 acquired allowances at auction, the cost to cover their emissions under the existing Program would range from \$302,990 to \$651,420 and \$228,624 to \$537,311 respectively for each year based on the range of emissions described earlier. These existing Program costs are within the range of

modeled costs for the Program revisions, the low estimate of costs for the Program revisions is about 45% lower than existing costs and the high estimate of costs for the Program revisions is about 80% higher than the existing costs. The Program administration costs for these local governments are not anticipated to change due to the Program revisions.

The JBPU and the Village of Freeport can utilize the flexibility inherent under the Program to comply. Since the program has a three-year control period with the full compliance obligation at the end of the control period and 50% compliance obligation after each of the first two years of the control period, the emission peaks associated with electricity generation will be averaged out and more long-term planning options will be available to SACGS and FPPN2. No small businesses would be directly affected by the adoption of the revisions.

MINIMIZING ADVERSE IMPACTS

The promulgation of the revisions to the Program and the amendments to 6 NYCRR Part 200 do not directly affect small businesses. Only two local governments are affected by the revisions to the Program, the JBPU and the Village of Freeport. The revisions to the Program constitute an emissions allowance-based cap-and-invest program. As the proposed regulations continue an existing Program and no new small business or local governments are expected to be directly impacted the revised regulations, the impacts of the Program continue to be minimized by the nature of a cap-and-invest program. Cap-and-invest systems are the most cost-effective means for implementing emission reductions from large stationary sources, as these systems allow full utilization of previously purchased allowances, multiyear compliance periods, and clear announcements of the availability of allowances in the near future. By continuing to implement the Program and Program revisions, the Department will minimize any associated adverse economic impacts on the JBPU and the Village of Freeport. Electricity consumers benefit from the investment of proceeds generated through the auction of allowances. These investments serve to minimize the impact of the Program by promoting energy efficiency and greenhouse gas abatement among other investments. As more fully described in the Regulatory Impact Statement monthly bills are expected to be insignificantly lower under the revised Program compared with existing costs and the historic investments of proceeds have resulted in annual bill savings of about \$732¹.

SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

The Participating States, including New York, initiated the most recent program review in the Fall of 2021, with the announcement of the first stakeholder meetings and concluded the process in July 2025. The Participating States and RGGI Incorporated (RGGI, Inc.)² conducted a robust stakeholder outreach process including six stakeholder meetings and a public comment period. This stakeholder outreach revealed no additional burdens on small businesses and local governments due to the program revisions. All stakeholder events were open to the public and recordings are available on the RGGI, Inc. website. On July 3, 2025, the Participating States released the final version of the Updated Model Rule, which contained additional updates based on stakeholder feedback received. This regional feedback, as well as the Model Rule itself have been considered and incorporated by the Department in developing the revisions to the Program. The Department will ensure public input on the proposed revisions to the regulations by issuing public notices in the State Register and the Department’s Environmental Notice Bulletin; holding a comment period of at least 60 days and conducting public hearings. Interested parties, including small businesses and local governments, will have the opportunity to submit written comments and participate in the public hearings. The Department will also post relevant rule making documents on their website for public access.

CURE PERIOD OF AMELIORATIVE ACTION

The cap reduction and other key elements of the revisions to the Program will be effective beginning in 2027. The revised Program will require affected sources already subject to the Program to continue to comply, as well as units that commence operations after the effective date of the regulation. No additional cure period or other additional opportunity for ameliorative action is included in the Program revisions. First, most sources that will be subject to the Program revisions are already subject to the existing Program and have been since the regulation was initially promulgated in 2008 (or since they commenced operation). This includes the SACGS and FPPN2. Second, because of the cap-and-invest nature the Program and the continuance of the interim and full compliance deadlines, sources have flexibility to emit any amount of CO₂ during a control period, provided such emissions are covered by an adequate amount of CO₂ allowances by the relevant CO₂ allowance transfer deadline.

¹ <https://www.nyserda.ny.gov/-/media/Project/Nyserda/Files/Publications/Energy-Analysis/RGGI/RGGI-StatusReport-Q2-24-final.pdf>

² RGGI, Inc. is a 501(c)(3) non-profit corporation created to provide technical and administrative services to the Participating States.

Rural Area Flexibility Analysis

The Regional Greenhouse Gas Initiative (RGGI) is a cooperative, historic effort among New York and nine Participating States¹ and is the first mandatory, market-based carbon dioxide (CO₂) emissions reduction program in the United States. Since its inception in 2008, RGGI has utilized a market-based mechanism to cap and cost-effectively reduce emissions that cause climate change. Recently, New York along with the Participating States, completed a comprehensive program review and announced a proposal to lower the regional emissions cap established under RGGI to approximately 69.8 million tons in 2027, declining about 89%, relative to the 2024 cap, through 2037.² Accordingly, New York and the Participating States committed to propose revisions, pursuant to state-specific regulatory processes, to their respective CO₂ Budget Trading Programs to further reduce CO₂ emissions from power plants in the region. To implement the updated RGGI program in New York State, the Department of Environmental Conservation (Department) has proposed to revise 6 NYCRR Part 242, CO₂ Budget Trading Program (the Program) and 6 NYCRR Part 200, General Provisions. As the auction administrator, the New York State Energy Research and Development Authority (NYSERDA) has proposed revisions to the CO₂ Allowance Auction Program as set forth in Part 507, which are designed to complement revisions proposed by the Department. The proposed revisions to the existing regulations would not have a negative impact on rural areas of the State.

TYPES AND NUMBERS OF RURAL AREAS AFFECTED

The promulgation of the proposed Program revisions, the amendments to Part 200, and amendments to Part 507 will apply equally to affected public and private sources statewide; rural areas will not be disproportionately impacted. For purposes of this Rural Area Flexibility Analysis (RAFA), “rural area” means those portions of the State so defined by Executive Law section 481(7), SAPA section 102(10). Under Executive Law section 481(7), rural areas are defined as “counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, programs and such other entities or resources as are found therein. In counties of two hundred thousand or greater population, ‘rural areas’ means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein.” There are 44 counties in the State that have populations of less than 200,000 people and 71 towns in non-rural counties where the population densities are less than 150 people per square mile. Of the 71 budget sources regulated by the Program in 2024, 16 or 22.5 % were in rural areas. The revisions to the Program are not anticipated to add additional budget sources in rural areas compared to sources in non-rural areas.

COMPLIANCE REQUIREMENTS

The revised Program will require affected sources already subject to the Program to continue to comply. The Program revisions retain the interim and full compliance obligation. Units subject to the Program would continue to be subject to both the interim control period and control period requirements on the later of January 1, 2027, or the date the unit commences operation.

COSTS

The Department, NYSERDA, and New York State Department of Public Service (DPS) analyzed costs, including statewide impacts to jobs, total Gross State Product and total Personal Income, associated with compliance with the proposed revisions to the Program. As discussed below, this analysis concludes that the proposed Program revisions will not disproportionately affect sources in rural areas of the State. Budget sources located in rural areas are anticipated to face the same costs as those sources in non-rural areas due to the nature of the regulation and the proposed revisions to it. These costs would be chiefly from potential changes in allowance prices due to the requirement that all budget sources cover their emissions with allowances. The revised Program will reduce the total supply of allowances and expand the total number of cost containment allowances to balance the need to protect public health and welfare and continue industrial development. By revising the Program, the Department is able to balance these competing interests and minimize any potential adverse impacts of the revised Program.

To evaluate the potential cost impacts of the reduced CO₂ emissions cap and budget adjustments, Integrated Planning Model (IPM®)³ was used to compare a future case with the proposed Program (Program Case) to a Reference Case (Business as Usual scenario) to project how the regional electricity system would function if the Program remained unchanged and proposed revisions were not implemented. The modeling assumptions and input data were developed through a stakeholder process, including representatives from the electricity generation sector, business and industry, environmental advocates and consumer interest groups. Subsequently, modeling results were presented to stakeholders for review and comment throughout the development of the proposed Program revisions. For a greater explanation of the analysis and a summary of the

(IPM®) modeling conducted by ICF International (ICF), see the Regulatory Impact Statement.

A macroeconomic study of the Program was conducted to estimate the potential impact of the reduced CO₂ emissions cap and the other Program revisions on the economies of the Participating States. The study, using the REMI computer model, concluded that the impacts on the jobs, the economy and customer bills^{4,5}, in New York would be generally positive, albeit relatively small. The estimated cumulative, positive change in employment in New York associated with the Program revisions will be between about 646 additional job-years (a change of less than 0.001%) and 54,928 additional job-years (a change of 0.025%) over the period 2025 to 2040. A job-year is equivalent to one person employed for one year. Further, the study estimates that the cumulative changes in New York’s Gross State Product associated with the Program revisions will be between approximately \$777 million (0.003%) and \$7 billion (0.023%) (in fixed 2022 dollars with a 3% annual discount rate). Cumulative changes in Personal Income associated with the Program revisions are estimated to be between \$1.7 billion (0.009%) and \$2.7 billion (0.015%). Although these cumulative changes are minimal, they represent positive impacts for total State employment, total Gross State Product and total Personal Income.

MINIMIZING ADVERSE IMPACT

The Department will implement the proposed Program revisions through a cap-and-invest program because allowance and market-based systems are the most cost-effective means for implementing emission reductions from stationary sources. The regulatory flexibility inherent in a cap-and-invest program that allows for interstate trading of emission allowances will not disproportionately affect sources in rural areas of the State and best enables the Department to balance the competing interests of the protection of the public health and welfare with continued industrial development of the State. By revising future allowances budgets through 2037 and beyond these Program revisions allow affected budget sources to plan compliance decisions. The budget sources may acquire and bank allowances for future use or acquire only the allowances necessary to meet each annual compliance deadline. By revising the Program, the Department is further able to balance these competing interests and minimize any potential adverse employment impacts of the revised Program

RURAL AREA PARTICIPATION

The Department complied with Sections 202-a, 202-b and 202-bb of the State Administrative Procedures Act through an extensive regional program review process that included public participation by all Participating States. All six public outreach sessions conducted from October 2021 to September 2023 for this program review were open to the public and recordings and meeting materials are available on the RGGI, Inc. website. The Department will ensure public input on the proposed revisions to the regulations by issuing public notices in the State Register and the Department’s Environmental Notice Bulletin; holding a comment period of at least 60 days and conducting public hearings. Interested parties, including those in rural areas, will have the opportunity to submit written comments and participate in the public hearings. The Department will also post relevant rule making documents on their website for public access.

¹ In addition to New York, the RGGI Participating States include: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, and Vermont. Pennsylvania is a Participating State as it has adopted regulations, but it does not issue emissions allowances, require emission sources to surrender allowances, or participate in the auctions.

² The Participating States released the Updated Model Rule on July 3, 2025, https://www.rggi.org/sites/default/files/Uploads/Press-Releases/Press_Release_Program_Review_Announcement.pdf

³ IPM® is a nationally recognized modeling tool used by the U.S. Environmental Protection Agency (EPA), state energy and environmental agencies, and private sector firms such as utilities and generation companies.

⁴ RGGI Program Review: REMI Modeling Results (ICF), RGGI_Program_Review_IPM_Results.xlsx

⁵ https://www.rggi.org/sites/default/files/Uploads/Program-Review/Release/Program_Review_Bills_Analysis.pdf

Job Impact Statement**NATURE OF IMPACT**

The Regional Greenhouse Gas Initiative (RGGI) is a cooperative, historic effort among New York and nine Participating States¹ and is the first mandatory, market-based carbon dioxide (CO₂) emissions reduction program in the United States. Since its inception in 2008, RGGI has utilized a market-based mechanism to cap and cost-effectively reduce emissions that cause climate change. Recently, New York along with the Participating States, completed a comprehensive program review and an-

nounced a proposal to lower the regional emissions cap established under RGGI to 69.8 million tons in 2027, declining about 89%, relative to the 2024 cap, through 2037.² Accordingly, New York and the Participating States committed to propose revisions, pursuant to state-specific regulatory processes, to their respective CO₂ Budget Trading Programs to further reduce CO₂ emissions from power plants in the region. To implement the updated RGGI program in New York State, the Department of Environmental Conservation (Department) has proposed to revise 6 NYCRR Part 242, CO₂ Budget Trading Program (the Program) and 6 NYCRR Part 200, General Provisions. As the auction administrator, the New York State Energy Research and Development Authority (NYSERDA) has proposed revisions to the CO₂ Allowance Auction Program as set forth in Part 507, which are designed to complement revisions proposed by the Department.

The Department, NYSERDA and the New York State Department of Public Service (DPS) analyzed costs, including impacts to jobs, total Gross State Product and total Personal Income, associated with compliance with the proposed revisions to the Program. As discussed below, this analysis concludes that the proposed revisions to the Program would result in positive increases in jobs, Gross State Product, and total Personal Income, although the gains are small in magnitude, which is consistent with the analysis from previous program reviews. At the direction of New York and Participating States, ICF International conducted a macroeconomic impact study using the "Regional Economic Models, Inc. Policy Insight™ (REMI)" model. The macroeconomic results reflect the potential impacts associated with the revisions to the Program (including the investment of auction proceeds in an estimated portfolio of energy efficiency, clean energy and carbon abatement programs). As with other analysis that supported the program review, REMI modeling included two policy cases, one of which assumes full on-time achievement of state clean energy deployment targets (Case B), and one of which assumes clean energy additions are mostly limited to currently contracted renewables (Case A). The study estimates that the cumulative changes in New York's Gross State Product and Personal Income associated with the revisions to the Program will be about \$7 billion (0.023%) and \$2.7 billion (0.015%), respectively, for Case A (2022 dollars, calculated as the present value of estimated annual changes over the period 2025 to 2040, discounted at 3% per year to account for the time-value of money). Under the Case A framing, the cumulative change in employment in New York associated with the revisions to the Program is estimated to be about 54,928 additional job-years (0.025%) over the period 2025 to 2040. The study estimates that the cumulative changes to New York's Gross State Product and Personal Income associated with revisions to the Program will be about \$777 million (0.003%) and \$1.7 billion (0.009%), respectively, for Case B. Under the Case B framing, the cumulative change in employment in New York associated with the revisions to the Program is estimated to be about 646 additional job-years (<0.001%) over the period 2025 to 2040. In the context of New York's total Gross State Product, total Personal Income, and total employment in job years these changes represent small but positive changes.

The nature of the proposed Program revisions, generally described above and discussed more thoroughly in the accompanying Regulatory Impact Statement, is such that they clearly would not have an adverse impact on jobs and employment opportunities.

CATEGORIES AND NUMBERS AFFECTED

As indicated above, the Department, NYSERDA and DPS analyzed costs, including impacts to jobs, total Gross State Product and total Personal Income, associated with compliance with the proposed revisions to the Program. Modeling analysis and review was coordinated by RGGI Inc. and New York staff, and included input from energy and environmental representatives from the Participating States and each regional Independent Systems Operator.

To evaluate potential cost impacts of the reduced CO₂ emissions cap and budget adjustments, Integrated Planning Model (IPM®³) was used to compare a future case with the proposed Program revisions (Program Case) to a Reference Case (Business as Usual scenario) to project how the regional electricity system would function if the Program remained unchanged and proposed revisions were not implemented. The modeling assumptions and input data were developed with input from a stakeholder process, including representatives from the electricity generation sector, business and industry, environmental advocates and consumer interest groups. Subsequently, modeling results were presented to stakeholders for review and comment throughout the development of the proposed Program revisions. For a greater explanation of the analysis and a summary of the IPM® modeling conducted by ICF International (ICF), see Regulatory Impact Statement.

Utilizing New York's Investments of RGGI Allowance Proceeds and output data from IPM®, the REMI macroeconomic study estimates that the impact of the remainder of the proposed Program revisions⁴ on the economies of the Participating States, including New York, were generally

positive, albeit small. Under the Case B framing, the cumulative change in employment in New York associated with the revisions to the Program is estimated to be about 646 additional job-years (<0.001%) over the period 2025 to 2040. A job-year is equivalent to one person employed for one year. Under the Case B framing, incremental gross state product and personal income are estimated at \$777 million (0.003%) and \$1.7 billion (0.009%), respectively (in fixed 2022 dollars with a 3% annual discount rate). Under the Case A framing, the cumulative change in employment in New York associated with the revisions to the Program is estimated to be about 54,928 additional job-years (0.025%) over the period 2025 to 2040. Under the Case A framing, incremental gross state product and personal income are estimated at \$7 billion (0.023%) and \$2.7 billion (0.015%), respectively.

REGIONS OF ADVERSE IMPACT

No specific regions of the State are anticipated to face direct adverse impacts, this is a statewide program and impacts on jobs and bills are anticipated to be very minor and positive. A statewide analysis of the impacts of these revisions on electricity prices in New York State was performed. The analysis predicts that New York's wholesale electricity prices are projected to be between \$2.05/MWh and \$6.20/MWh (2022 dollars) higher in 2037 than the Reference Cases. While wholesale electricity prices are projected to increase, after accounting for the investment of auction proceeds in efforts such as energy efficiency and the benefits of indexed Renewable Energy Credits, ratepayer costs are expected to slightly decrease over time. Under Policy Case A, bill impacts are estimated to decrease \$0.10/month (-0.14%) for a representative residential customer. Similarly, for representative commercial and industrial customers bill impacts are estimated to decrease \$0.93/month (-0.24%) and \$35.50/month (-0.31%), respectively. Under Policy Case B, bill impacts are estimated to decrease \$0.24/month (-0.27%) for a representative residential customer. Similarly, for representative commercial and industrial customers bill impacts are estimated to decrease \$2.17/month (-0.44%) and \$82.67/month (-0.57%), respectively.

MINIMIZING ADVERSE IMPACT

The Department would implement the proposed Program revisions through a cap-and-invest program because allowance-based cap-and-invest systems are a cost-effective means for implementing emission reductions from large stationary sources. The regulatory flexibility inherent in a cap-and-invest program, as well as the flexibility provided under the revisions to the Program, including the expanded CCR, and adjustment of set-asides, helps to ensure continued reliability and adequacy of the State's electricity supply, assists in the furtherance of public health, and is necessary for continued industrial development and preservation of physical property, while minimizing any potential adverse employment impacts.

SELF-EMPLOYMENT OPPORTUNITIES

The proposed regulations are not expected to have a measurable impact on self-employment opportunities.

¹ In addition to New York, the RGGI Participating States include: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, and Vermont. Pennsylvania is a Participating State as it has adopted regulations, but it does not issue emissions allowances, require emission sources to surrender allowances, or participate in the auctions.

² The Participating States released the Updated Model Rule on July 3, 2025. https://www.rggi.org/sites/default/files/Uploads/Press-Releases/Press_Release_Program_Review_Announcement.pdf

³ IPM® is a nationally recognized modeling tool used by the U.S. Environmental Protection Agency (EPA), state energy and environmental agencies, and private sector firms such as utilities and generation companies.

⁴ The estimated impact of the RGGI Program is the increment calculated as the difference between the Reference Case and the "91 Cap Bank MR IPM Scenario."

Department of Financial Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Anti-Arson Application

I.D. No. DFS-49-25-00014-P

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

Proposed Action: This is a consensus rule making to repeal Subpart 62-4 (Regulations 21 and 96) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, section 301; L. 2025, ch. 439

Subject: Anti-Arson Application.

Purpose: To repeal 11 NYCRR Subpart 62-4 in compliance with Chapter 439 of the Laws of 2025.

Text of proposed rule: 11 NYCRR Subpart 62-4 is hereby repealed.

Text of proposed rule and any required statements and analyses may be obtained from: Sally Geisel, New York State Department of Financial Services, One State Street, New York, NY 10004, (212) 480-7608, email: Sally.Geisel@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.

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

Consensus Rule Making Determination

11 NYCRR Subpart 62-4 implements Insurance Law Section 3403 by requiring a two-tier anti-arson application for new and renewal insurance policies or binders covering the peril of fire or explosion. Chapter 439 of the Laws of 2025 (“Chapter 439”) repealed Section 3403 effective October 16, 2025, and requires the Superintendent of Financial Services (“Superintendent”) to repeal all rules and regulations that implement Section 3403. Therefore, the Superintendent proposes to repeal Subpart 62-4 to comply with Chapter 439, and thus no person is likely to object to its adoption.

The Department of Financial Services determines this rulemaking to be a consensus rulemaking as defined in State Administrative Procedure Act Section 102(11) (“SAPA”), and the rulemaking is proposed pursuant to SAPA Section 202(1)(b)(i). Accordingly, this rulemaking is exempt from the requirement to file a Regulatory Impact Statement, Regulatory Flexibility Analysis for Small Businesses and Local Governments, and a Rural Area Flexibility Analysis.

Job Impact Statement

11 NYCRR Subpart 62-4 implements Insurance Law Section 3403 by requiring a two-tier anti-arson application for new and renewal insurance policies or binders covering the peril of fire or explosion. Chapter 439 of the Laws of 2025 (“Chapter 439”) repealed Section 3403 effective October 16, 2025, and requires the Superintendent of Financial Services (“Superintendent”) to repeal all rules and regulations that implement Section 3403. Therefore, the Superintendent proposes to repeal Subpart 62-4 to comply with Chapter 439.

The repeal of Subpart 62-4 will not have a substantial adverse impact on jobs or employment opportunities in New York because it merely implements Chapter 439.

Section 5-E.1 establishes that the cybersecurity requirements apply to community water systems that serve more than 3,300 people and for some requirements, only to systems that serve more than 50,000 people.

Section 5-E.2 establishes risk-based exclusions to the regulatory requirements.

Section 5-E.3 establishes definitions for specific technical requirements for this appendix.

Section 5-E.4 establishes that covered water systems that serve more than 50,000 people shall identify an individual who is deemed qualified by the covered water system’s owner to be responsible for the covered water system’s cybersecurity program.

Section 5-E.5 establishes requirements for cybersecurity vulnerability analysis. This section requires that covered water systems assess the vulnerability to cybersecurity incidents of all operational technology and nonpublic information that impacts or limits a covered water system’s ability to comply with the requirements of this Subpart or that may pose a risk to public health.

Section 5-E.6 establishes baseline requirements for a cybersecurity program. The cybersecurity program must be designed to fulfill statutory and regulatory reporting obligations; provide authentication and access management; maintain a cyber asset inventory; implement defensive architecture to protect operational technology and nonpublic information from unauthorized disclosure, alteration, or destruction; identify and assess risk for operational technology and nonpublic information handling; monitor and log network activity for covered water systems that serve more than 50,000 people; implement response protocols for breach incidents; and recover from cybersecurity incidents.

Section 5-E.7 establishes that all water operators regulated under Subpart 5-4 shall take a minimum of one hour of cybersecurity training every 3 years.

Section 5-E.8 requires covered water systems to incorporate a cybersecurity incident response plan into its water system emergency plan.

Section 5-E.9 requires covered water systems to report cybersecurity incidents to the Department within 24 hours which have created, or may create, a public health hazard.

Sections 5-E.10 and 5-E.11 address confidentiality and severability, respectively.

Revised rule compared with proposed rule: Substantial revisions were made in 5-E.1, 5-E.2, 5-E.3, 5-E.4, 5-E.5, 5-E.6 and 5-E.9.

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

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

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

Revised Regulatory Impact Statement

Statutory Authority:

Public Health Law § 1125 authorizes the adoption of regulations regarding water system emergency plans that include a vulnerability analysis to terrorist attack and cybersecurity incident or attack; and Public Health Law § 225 authorizes the Public Health and Health Planning Council (PHHPC) to establish the sanitary code.

Legislative Objectives:

The objective of Public Health Law § 1125 is to ensure water systems can provide water to their customers during an emergency by analyzing vulnerabilities and preparing emergency response plans beforehand. The emergency conditions water systems are required to consider has expanded over the years to include terrorist attack and cybersecurity incident, in addition to natural hazards. Public Health Law § 225 authorizes the PHHPC to establish the sanitary code.

Needs and Benefits:

The United States (U.S.) water sector is critical infrastructure which is an attractive target for cybersecurity incidents and attacks. The water sector is vital to national security, economic security, public safety, and health. According to the U.S. Environmental Protection Agency, the overall cybersecurity maturity of the sector is low. This finding is consistent with the Office of the New York State Comptroller’s audits of select municipalities in the last five years. As community water systems increase usage of computer-enabled and internet-connected systems, their potential vulnerability to attack increases, as does the attendant risk of public water supply contamination. Without effective cybersecurity controls implemented, community water systems may unintentionally increase their risks to disruptive cybersecurity attacks.

As geopolitical conflicts escalate, the threat landscape for the water sector becomes more volatile. U.S. adversaries are outpacing the U.S. water sector’s current cybersecurity defenses. Publicly reported cybersecurity incidents in the water sector as well as the U.S. intelligence community illustrate that adversaries are well-resourced to carry out disruptive

Department of Health

REVISED RULE MAKING NO HEARING(S) SCHEDULED

Cybersecurity Requirements for Public Water Systems

I.D. No. HLT-28-25-00012-RP

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

Proposed Action: Addition of Appendix 5-E to Title 10 NYCRR.

Statutory authority: Public Health Law, sections 225 and 1125

Subject: Cybersecurity Requirements for Public Water Systems.

Purpose: To establish enforceable cybersecurity requirements to protect public water systems that serve the people of New York.

Substance of revised rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>): In Governor Hochul’s 2025 State of the State, she directed the Department of Health (Department) to establish enforceable cybersecurity requirements to protect public water systems that serve the people of New York. The Department developed this regulatory proposal based on the authorities granted in Public Health Law § 225 and 1125 to establish risk-based regulations for community water systems that serve more than 3,300 people. This regulatory proposal establishes a new Appendix 5-E to Subpart 5-1 of Title 10 of the New York Codes Rules and Regulations (NYCRR).

cybersecurity attacks against the water and wastewater systems across the U.S.

This proposed regulation addresses sector-specific cybersecurity concerns by establishing risk-based baseline cybersecurity requirements. Specifically, community water systems that serve more than 3,300 people will be required to: conduct a cybersecurity vulnerability analysis (CVA) which must be reviewed and updated at least annually, and within 30 days of major infrastructure changes; establish compliance of a cybersecurity program informed by the CVA; create a cybersecurity incident response plan; report cybersecurity incidents which have created, or may create, a public health hazard to the Department of Health (Department) within 24 hours; and report vulnerabilities that may impact or limit a covered water system's ability to comply with the requirements of 10 NYCRR Part 5 Subpart 5-1, or that may pose a risk to public health, to the Department within 48 hours of identification. Additionally, certified operators will be required to complete cybersecurity training approved by the Department for new certifications and renewal certifications.

Water systems serving a combined wholesale and retail population of greater than 50,000 will be subject to the same requirements, with additional requirements to designate an individual who is deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual to be responsible for the covered water system's cybersecurity program and monitor and log network activities in order to detect cybersecurity incidents.

The program leverages the existing cyber security vulnerability assessment program authorized under Public Health Law § 1125. While the existing program identifies baseline cybersecurity vulnerabilities and addresses all-hazards emergency response, the proposed regulation requires water systems to implement baseline cybersecurity controls to prevent the exploitation of potential vulnerabilities.

Costs:

Costs for the Implementation of, and Continuing Compliance with the Regulation to the Regulated Entity, Including Costs to State and Local Governments:

The costs to regulated entities will vary due to the diversity of technology environments, as well as the presence and varying maturity of existing cybersecurity programs. Specifically, an entity's total costs will depend on its size; its network structure; the number of its critical assets, devices, employees, and users; and the way the entity chooses to comply with the requirements set forth in the proposed rule. The Department estimates that cybersecurity will cost \$0-\$150,000 per year for those systems that serve populations from 3,301 to 50,000 people; and \$0-\$5,000,000 per year for systems that serve more than 50,000 people, which includes the largest covered water supplies.

Covered water supplies will also be required to conduct a cyber asset inventory as part of the required cybersecurity program. A cyber asset inventory will range in costs depending on the size of the water system and the volume of assets needing evaluation. Asset inventory costs may include discovery tools and their associated licensing fees, consulting fees, and ongoing expenses for updating and maintaining the asset inventory. Covered water supplies with less than 100 assets may see an annual cost of \$0-\$24,500, while systems with approximately 500-1000 assets could see annual costs from \$0-\$135,000.

Covered water supplies serving a combined retail and wholesale population of greater than 50,000 will also be required to designate an individual who is deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management to be responsible for the covered water system's cybersecurity program. It is anticipated that most public water systems of this size already have a qualified professional on staff that can serve in this role and a robust cybersecurity program. Additionally, these water systems will be required to monitor and log network activities in order to detect cybersecurity incidents, which the Department estimates will cost between \$0-\$54,000 per year.

New York State has funding available for the water and wastewater sectors, including hundreds of millions of dollars in infrastructure grants for addressing public health priorities and a new cybersecurity grant program totaling \$2,500,000 that the Environmental Facilities Corporation will implement to support covered entities' compliance with this regulation. No- and low-cost cybersecurity services may be available that covered systems may utilize. However, this funding will likely not cover the full costs of these cybersecurity programs, and the remaining costs of these changes or upgrades, if any, may be borne by ratepayers or taxpayers depending on the size and/or complexity of the covered water system and their existing cybersecurity program.

Because of the wide range of technologies used at community water systems throughout the State, this proposed program uses a flexible regulatory model where covered water suppliers are required to obtain the expertise needed and make changes in accordance with their CVA, either

by hiring employees, contracting with cybersecurity experts, or leveraging no- and low-cost services to improve their baseline cybersecurity controls.

Local health departments will continue to have a role in verifying the completion of the statutorily required CVAs and are not expected to incur any additional costs. Most of the regulatory requirements will affect State and Local Governments. The Department estimates that cybersecurity will cost \$0-\$150,000 per year for those systems that serve populations from 3,300 to 50,000 people; and \$0-\$5,000,000 per year for systems that serve more than 50,000 people, which includes the largest covered water supplies.

Costs to the Department:

The Department proposes that oversight continue to be provided by its Bureau of Water Supply Protection in Albany. The tasks that will be completed by the Department include: developing guidance, templates and approved training curriculum for water system use and regulatory implementation; providing information about the water sector threat landscape; working with stakeholders and industry experts to identify cybersecurity best practices; coordinating with federal regulatory agencies and other experts on improving the cybersecurity position of the sector at large; and coordinating with the Division of Homeland Security and Emergency Services as well as the Department of Environmental Conservation to share ideas and expertise.

The Department estimates that 4 full-time equivalents will be required. It is expected that these positions will require approximately \$600,969 per year inclusive of salary, fringe, travel, and indirect expenses.

Local Government Mandates:

There are 318 water systems serving more than 3,300 people that are owned and operated by local governments, with 37 of those water systems serving a combined wholesale and retail population of greater than 50,000. The majority of impacts will be on local governments.

This proposed regulation will affect local governments that own or operate water systems by requiring the development and implementation of a cybersecurity program to enhance system security and resilience. Systems serving populations of greater than 50,000 will also be required to designate an individual who is deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who will be responsible for overseeing system cybersecurity. All affected systems must complete a CVA, consistent with existing requirements in Public Health Law § 1125.

Additionally, authorized representatives for covered water systems will be required to report identified cybersecurity vulnerabilities within 48 hours that affect their ability to comply with the requirements of this Subpart, or that may pose a risk to public health, and to report cybersecurity incidents within 24 hours which have created, or may create, a public health hazard, which would increase paperwork.

Because of the wide range of technologies used at community water systems throughout the State, this proposed program uses a flexible regulatory model where covered water suppliers are required to obtain the expertise needed and make changes in accordance with their CVA, either by hiring employees, contracting with cybersecurity experts, or leveraging no- and low-cost services, to improve their baseline cybersecurity controls.

Paperwork:

This proposal builds on the existing cybersecurity vulnerability analysis required by Public Health Law § 1125. It would increase paperwork by requiring documentation of cyber vulnerabilities and mandatory reporting of same to the Department.

Duplication:

This proposed regulation is designed to complement existing requirements in 10 NYCRR 5-1.33 and require a cybersecurity program for covered water systems. There are no similar federal requirements. Similar regulations may be promulgated by other State agencies with authority to regulate components of a covered water system's operation, such as the Department of Environmental Conservation or the Public Services Commission.

Alternatives:

Multiple alternatives were explored for this proposal, including maintaining the existing cybersecurity vulnerability assessment program and requiring a uniform cybersecurity program for all public water systems serving more than 3,300 people.

The Department determined that maintaining the existing program was insufficient in that it did not require mandatory training or incident reporting or critical cybersecurity controls. The Department also determined that the additional requirements placed on systems serving populations of greater than 50,000 were impracticable for "medium water systems" as that term is defined in 10 NYCRR 5-1.1(bj).

Federal Standards:

The United States Environmental Protection Agency requires that all community water systems that serve more than 3,300 people complete a risk and resilience assessment that includes an assessment of cybersecurity.

This requirement is authorized through section 2013 of the America's Water Infrastructure Act (AWIA) of 2018, which amended Section 1433 of the Safe Drinking Water Act (SDWA). There are no additional federal standards.

Compliance Schedule:

Covered water systems shall comply with most requirements of this Appendix by January 1, 2027, though training and cybersecurity incident notification requirements are effective upon publication of the Notice of Adoption in the State Register. Operators shall complete the requisite training by the end of the first full registration cycle for an individual operator following the effective date of the regulation.

Revised Regulatory Flexibility Analysis

Effect of Rule:

This proposed regulation addresses sector-specific cybersecurity concerns by establishing risk-based baseline cybersecurity requirements. Specifically, all community water systems which serve populations greater than 3,300 people will be required to: conduct a cybersecurity vulnerability analysis (CVA), which must be reviewed and updated at least annually and within 30 days of major infrastructure changes; establish compliance of a cybersecurity program informed by the CVA; create a cybersecurity incident response plan; report cybersecurity incidents to the Department of Health (Department) within 24 hours which have created, or may create, a public health hazard; and report vulnerabilities that may impact or limit a covered water system's ability to comply with the requirements of 10 NYCRR Part 5 Subpart 5-1, or that may pose a risk to public health, to the Department within 48 hours of identification. Additionally, certified operators will be required to complete cybersecurity training approved by the Department for new certifications and renewal certifications.

This rule will primarily impact local governments since 318 public water systems that serve more than 3,300 people are owned by local governments, with 37 of those water systems serving a combined wholesale and retail population of greater than 50,000.

Water systems serving a combined wholesale and retail population of greater than 50,000 will be subject to the same requirements, with additional requirements to designate an individual who is deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual responsible for the system's cybersecurity program.

A covered water system that has neither physical nor logical connections between operational technology and information technology or external networks is exempt from the cybersecurity requirements in this Appendix. All covered water suppliers that are required to meet the requirements of section 5-1.33 of Subpart 5-1 shall continue to do so.

Compliance Requirements:

Covered water systems shall comply with the requirements of this Appendix by January 1, 2027, though training and cybersecurity incident notification requirements are effective upon adoption. Operators shall complete the requisite training by the end of the first full registration cycle for an individual operator following the effective date of the regulation.

Professional Services:

Water systems that serve more than 50,000 must designate an individual who is deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual responsible for the system's cybersecurity program. Some covered water systems will be required to obtain this expertise via contract and could be delayed by the competitive bidding requirements for professional services. We anticipate the one-year implementation time frame included in the proposed regulation will be sufficient to allow municipalities to undergo the competitive bidding process for services, if needed. However, that is dependent upon municipalities undertaking the process in a timely manner and then receiving acceptable responses.

Compliance Costs:

The costs to regulated entities will vary due to the diversity of technology environments, as well as the presence and varying maturity of existing cybersecurity programs. Specifically, an entity's total costs will depend on its size; its network structure; the number of its critical assets, devices, employees, and users; and the way the entity chooses to comply with the requirements set forth in the proposed rule. The Department estimates that cybersecurity will cost \$0-\$150,000 per year for those systems that serve populations from 3,300 to 50,000 people; and \$0-\$5,000,000 per year for systems that serve more than 50,000 people, which includes the largest covered water supplies.

Covered water supplies will also be required to conduct a cyber asset inventory as part of the required cybersecurity program. A cyber asset inventory will range in costs depending on the size of the water system and the amount of assets discovered. Asset inventory costs may include discovery tools and their associated licensing fees, consulting fees, and ongoing expenses for updating and maintaining the asset inventory.

Covered water supplies with less than 100 assets may see an annual cost of \$0-\$24,500, while systems with approximately 500-1000 assets could see annual costs from \$0-\$135,000.

Covered water supplies serving a combined retail and wholesale population of greater than 50,000 will also be required to designate an individual who is deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual responsible for the system's cybersecurity program. It is anticipated that most public water systems of this size already have a qualified professional on staff that can serve in this role and a robust cybersecurity program. Additionally, these water systems will be required to monitor and log network activities in order to detect cybersecurity incidents, which the Department estimates will cost between \$0-\$54,000 per year.

New York State has funding available for the water and wastewater sector, including hundreds of millions of dollars in infrastructure grants for addressing public health priorities, and a new cybersecurity grant program totaling \$2,500,000 that the Environmental Facilities Corporation will implement to support covered entities comply with this regulation. No- and low-cost cybersecurity services may be available to the water sector that the covered entities may utilize. However, this funding will likely not cover the full costs of these cybersecurity programs, and the remaining costs of these changes or upgrades, if any, may be borne by ratepayers or taxpayers depending on the size and complexity of the covered water system and their existing cybersecurity program.

Because of the wide range of technologies used at community water systems throughout the State, this proposed program uses a flexible regulatory model where covered water suppliers are required to obtain the expertise needed and make changes in accordance with their CVA, either by hiring employees, contracting with cybersecurity experts, or leveraging no- and low-cost services to improve their baseline cybersecurity controls.

The benefits of this rule are challenging to quantify, since the risk of cybersecurity incidents, the ability to recover from cybersecurity incidents, and the costs of cybersecurity incidents are specific to the covered water systems' operations, the controls they employ, the nature of the cybersecurity incidents and the ability to operate manually.

Economic and Technological Feasibility:

The regulations are anticipated to be economically and technologically feasible since many covered water systems are already implementing robust cybersecurity programs that meet the requirements of this regulation. The Department has determined that requiring one hour of cybersecurity training per three-year renewal cycle is economically and technologically feasible. In addition, the Department has determined it is both economically and technologically feasible to require covered water systems to report cybersecurity incidents to the Department within 24 hours which have created, or may create, a public health hazard, and vulnerabilities that may impact or limit a covered water system's ability to comply with the requirements of 10 NYCRR Part 5 Subpart 5-1, or that may pose a risk to public health, within 48 hours of identification.

Minimizing Adverse Impact:

The proposed rule incorporates several exemptions for covered water systems at low risk of public health consequences related to a cybersecurity incident. A key exemption excludes covered water systems if they have neither physical nor logical connections between operational technology and information technology or external networks.

Small Business and Local Government Participation:

The Department held engagement sessions with regulated entities on the following dates:

February 26, 2025 – Monroe County Water Authority

March 6, 2025 – NY Rural Water Association, Village of Westfield, Star Lake, David Bunce, independent operator.

March 14, 2025 – American Water Works Association, NYS American Water Works Association, NY Rural Water Association and Suffolk County Water Authority.

March 19, 2025 – Long Island Water Conference

March 26, 2025 – Adirondack Water Works Conference

April 15, 2025 – American Water Works Association, Water Utility Council Meeting

May 20, 2025 – New York Rural Water Association Annual Conference

Most water systems were supportive of the regulatory requirements, and many water systems have already implemented actions to improve their cybersecurity position. However, many were concerned about the cost of the regulation and additional workload required at a time when the water sector was implementing several new regulations. New regulations include the Consumer Confidence Rule, federal rules addressing per- and polyfluoroalkyl substances, and significant amendments to rules that address lead in drinking water. Stakeholders were concerned that there would be insufficient capacity to successfully comply with four new regulatory requirements simultaneously.

Revised Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

This rule applies uniformly throughout the State, including rural areas.

Rural areas are defined as counties with a population less than 200,000 and counties with a population of 200,000 or greater that have towns with population densities of 150 persons or fewer per square mile. The following 44 counties have a population of less than 200,000 based upon the United States Census estimate of county populations for 2020 (<https://www.census.gov/quickfacts/>).

Allegany County	Greene County	Schoharie County
Broome County	Hamilton County	Schuyler County
Cattaraugus County	Herkimer County	Seneca County
Cayuga County	Jefferson County	St. Lawrence County
Chautauqua County	Lewis County	Steuben County
Chemung County	Livingston County	Sullivan County
Chenango County	Madison County	Tioga County
Clinton County	Montgomery County	Tompkins County
Columbia County	Ontario County	Ulster County
Cortland County	Orleans County	Warren County
Delaware County	Oswego County	Washington County
Essex County	Otsego County	Wayne County
Franklin County	Putnam County	Wyoming County
Fulton County	Rensselaer County	Yates County
Genesee County	Schenectady County	

The following counties have a population of 200,000 or greater and towns with population densities of 150 persons or fewer per square mile. Data is based upon the United States Census estimated county populations for 2020.

Albany County	Niagara County	Orange County
Dutchess County	Oneida County	Saratoga County
Erie County	Onondaga County	Suffolk County
Monroe County		

Reporting, Recordkeeping and Other Compliance Requirements; and Professional Services:

Water systems that serve 50,000 or more people must designate an individual deemed qualified by the covered water system’s owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual responsible for the system’s cybersecurity program. Some covered water systems may choose to obtain this expertise via contract and could be delayed by the competitive bidding requirements for professional services.

Costs:

The costs to regulated entities will vary due to the diversity of technology environments and the presence of existing cybersecurity programs. Each organization’s costs depend on the size and complexity of the covered water system and their existing cybersecurity program.

The costs to regulated entities will vary due to the diversity of technology environments, as well as the presence and varying maturity of existing cybersecurity programs. Specifically, an entity’s total costs will depend on its size; its network structure; the number of its critical assets, devices, employees, and users; and the way the entity chooses to comply with the requirements set forth in the proposed rule. The Department estimates that cybersecurity will cost \$0-\$150,000 per year for those systems that serve populations between 3,300 and 50,000 people; and \$0-\$5,000,000 per year for systems that serve 50,000 or more, which includes the largest covered water supplies.

Covered water supplies will also be required to conduct a cyber asset inventory as part of the required cybersecurity program. A cyber asset inventory will range in costs depending on the size of the water system and the amount of assets discovered. Asset inventory costs may include discovery tools and their associated licensing fees, consulting fees, as well as ongoing expenses for updating and maintaining the asset inventory. Covered water supplies with less than 100 assets may see an annual cost of \$0-\$24,500, while systems with approximately 500-1000 assets could see annual costs from \$0-\$135,000.

Covered water supplies serving a combined retail and wholesale population of 50,000 people or greater will also be required to designate an individual deemed qualified by the covered water system’s owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual responsible for the system’s cybersecurity program. It is anticipated that most public water systems of this size already have a qualified profes-

sional on staff that can serve in this role and a robust cybersecurity program. Additionally, these water systems will be required to monitor and log network activities in order to detect cybersecurity incidents, which the Department estimates will cost between \$0-\$54,000 per year.

New York State has funding available for the water and wastewater sector, including hundreds of millions of dollars in infrastructure grants for addressing public health priorities, and a new cybersecurity grant program totaling \$2,500,000 that the Environmental Facilities Corporation will implement to support covered entities comply with this regulation. No- and low-cost cybersecurity services may be available to the water sector that the covered entities may utilize. However, the costs of these changes or upgrades, if any, may be borne by ratepayers or taxpayers depending on the size and/or complexity of the covered water system and their existing cybersecurity program.

Because of the wide range of technologies used at community water systems throughout the State, this proposed program uses a flexible regulatory model where covered water suppliers are required to obtain the expertise needed and make changes in accordance with their cybersecurity vulnerability analysis (CVA), either by hiring employees, contracting with cybersecurity experts, or leveraging no and low cost services to improve their cyber posture and implementing baseline cybersecurity controls.

Minimizing Adverse Impact:

The proposed rule incorporates several exemptions for covered water systems at low risk of public health consequences related to a cyber-attack if they have neither physical nor logical connections between operational technology and information technology or external networks.

Rural Area Participation:

The Department held engagement sessions with regulated entities on the following dates:

- February 26, 2025 – Monroe County Water Authority
- March 6, 2025 – NY Rural Water Association, Village of Westfield, Star Lake, David Bunce, independent operator.
- March 14, 2025 – American Water Works Association, NYS American Water Works Association, NY Rural Water Association, Suffolk County Water Authority
- March 19, 2025 – Long Island Water Conference
- March 26, 2025 – Adirondack Water Works Conference
- May 20, 2025 – New York Rural Water Association Annual Conference

Most water systems were supportive of the regulatory requirements, and many water systems have already implemented actions to improve their cybersecurity position. However, many were concerned about the cost of the regulation and additional workload required at a time when the water sector was experiencing several new regulations, including the Consumer Confidence Rule, federal rules addressing per- and polyfluoro-alkyl substances, and amended rules addressing lead in drinking water. Stakeholders were concerned that there would be insufficient capacity to successfully comply with four new regulatory requirements simultaneously.

Revised Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previously published Job Impact Statement.

Assessment of Public Comment

The New York State Department of Health (Department) received several comments to the proposed addition of Appendix 5-E to Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York (10 NYCRR). These comments, along with the Department’s responses, are summarized below.

Comment: Several commenters stated that the reporting timelines for vulnerabilities and incidents are more aggressive than the federal Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) and the New York State Division of Homeland and Emergency Services (DHSES), which requires reporting within 72-hours. These commenters recommended harmonizing the regulation with existing reporting frameworks, specifically adopting a 72-hour reporting requirement to allow for initial assessments, to determine if impacts exist, and to provide regulators with meaningful reporting. One commenter recommended that the Department require reporting only when an incident is reported to another government agency, and that the Department allow for extensions of reporting requirements when appropriate.

Response: Section 5-E.9 establishes that cybersecurity incidents shall be reported within 24 hours in accordance with 10 NYCRR section 5-1.77(a), which is required only when the existence or potential existence of a public health hazard is discovered. It is the intention of the regulation that only cybersecurity incidents which result in the existence or potential existence of a public health hazard be reported to the Department and that that reporting occur within 24 hours of discovery. In response to these comments, the Department has added “which has created, or may create, a public health hazard” to 5-E.9 to clarify the threshold for cybersecurity incident reporting to the Department.

Section 5.E-5(e) of the proposed regulation used the existing 48-hour reporting requirement for violations or situation that may pose a risk to public health in Subpart 5-1.77(a) as the basis for the reporting requirement of vulnerabilities identified in the cybersecurity vulnerability analysis (CVA) that may impact a covered water system's ability to comply with the requirements of Subpart 5-1.

In response to these comments, the Department has added "or any situation that may pose a risk to public health" and "in accordance with 5-1.77(a)" to section 5.E-5(e) to clarify the threshold for reporting vulnerabilities identified in the CVA to the Department.

Comment: Several commenters recommended adding a "materiality" component to the cybersecurity incident definition and requiring reporting only when an event meets that threshold or is being reported to another government agency. They also suggested establishing a secure portal for transmitting any reports.

Response: Because the "materiality" standard for assessing cyberattacks is based on federal securities law concerns which are not relevant to the operation of covered water systems, the regulation has instead been drafted to focus on the reporting of adverse cyber incidents which result in public health hazards. A secure portal is available for transmitting such reports. No changes to the proposed regulation were made as a result of these comments.

Comment: Several commenters indicated that the description of a "qualified executive" was not clear. Their recommendation is to clarify the training, certifications, and experience required to fill the role of the "qualified executive" in large systems, as well as what oversight responsibilities would look like for medium-sized water systems.

Response: During discussions with cybersecurity subject matter experts no single training or certification could be identified which would indicate a person was qualified to fulfill this role. The qualifications of the term "qualified executive" were not specified to allow water systems freedom when identifying the person best suited to fulfill this role within their organization. Therefore, the proposed regulation has been revised to remove qualified executive by deleting "qualified through training and experience to serve as the water system's qualified executive" and instead clarifies that water systems shall determine who is qualified by adding "deemed qualified by the covered water system's owner with demonstrable knowledge of cybersecurity principles and practical experience in system protection or risk management who shall be the individual responsible for the covered water system's cybersecurity program."

Comment: Several commenters stated that logging network activity for three years is impractical due to the amount of data tracked. They recommended adjusting the logging and monitoring requirements to "meaningful monitoring practices."

Response: On review, the Department agrees that a three-year tracking obligation is overly burdensome and has removed a definite retention period from the regulation, instead requiring that logs be made available to investigators in the event they must respond to an adverse cyber incident.

Comment: Several commenters suggested defining "major infrastructure change," with one commenter suggesting the Department identify if it includes information and operational technology or only physical water infrastructure.

Response: The term "major water facility infrastructure change" already appears in Public Health Law section 1125(5) in the context of mandatory water supply emergency plan submissions to the Department, and it serves as the framework for this regulation. Major infrastructure changes could encompass changes to operational technology, information technology, or physical water system infrastructure. The installation of a new well, for example may also require operational technology changes to incorporate the new physical asset into the operational technology environment. No changes to the proposed regulation were necessary as a result of these comments; however, the Department will provide additional guidance.

Comment: Several commenters requested clarification about a consecutive water system's compliance responsibilities in relation to their supply partners.

Response: Consecutive water systems which serve more than 3,300 people, inclusive of any downstream water systems to which they provide water, are subject to the provisions of this regulation and will be required to implement the requirements therein as applicable to the systems under their direct control. No changes to the proposed regulation were necessary as a result of these comments.

Comment: Three commenters stated that there is a burden on small and rural water systems with limited personnel and budgets to meet the requirements of an annual CVA, program updates following major infrastructure changes, and "around-the-clock" reporting without financial and technical support. These commenters indicated that small and rural water systems could face additional strain on limited resources from the risk of unfunded mandates. Two commenters recommended a phased implementation approach based on system size.

Response: The proposed regulation requires an annual review and update of the existing CVA, not necessarily an annual CVA.

The basis for the comment regarding "around-the-clock" reporting is unclear. Section 5.E-6(c)(6) requires monitoring and logging of network activity, but this paragraph only applies to water systems which serve a population greater than 50,000, not the small and rural water systems about which the commentator is expressing concern. Vulnerabilities that create a violation or risk to public health are intended to be reported to the Department within 48 hours, in accordance with existing Department reporting requirements. Additional language has been added to sections 5-E.5(e) and 5-E.9 to clarify what must be reported to the Department.

Comment: One commenter expressed concern that the requirement to report vulnerabilities raised security and confidentiality risks. They noted that cybersecurity risk assessments are highly sensitive, not typically shared outside of specific regulatory requests, and may even contain Protected Critical Infrastructure Information (PCII) under federal law. The commenter argued that the Department only needs high-level information (e.g., severity ratings and confirmation that due diligence has been completed), not detailed risk assessment data, and asked for clarification on information-sharing and security protocols. They also objected to the requirement that CVA findings be incorporated into emergency plans that must be made publicly available under subdivision 5-1.33(a), warning that publishing vulnerability or risk data for public review would create serious security risks, and they urged the Department to remove this provision.

Response: The concerns of the commentator regarding the risks of centralized reporting of unmitigated vulnerabilities are noted. The Department agrees that the information reported to the Department should be kept to the minimum required to allow for oversight and enforcement. Section 5-1.33(c) already requires an analysis of vulnerability to cyber attack be submitted to the Department as part of the Water Supply Emergency Plan. Public Health Law section 1125(9)(a) and 10 NYCRR 5-1.33(h) already stipulate that all vulnerability analysis assessments and information derived therefrom, including CVA, are exempt from public disclosure under Article Six of the Public Officers Law.

Additionally, the Protected Critical Infrastructure Information (PCII) program applies to the protection of information voluntarily shared with the federal government on the security of private and State/local government critical infrastructure. The PCII program does not pre-empt the proposed regulation. No changes were made to the proposed regulation as a result of this comment.

Comment: Several commenters stated that the Department is not adequately staffed to regulate more than 300 water utilities in cybersecurity with one staff member. They recommend an increase in staff solutions and an expansion of technical assistance and training resources.

Response: The Department agrees and will recruit staff to assist in this effort. The Regulatory Impact Statement for the revised rule has been modified to reflect this change in projected staffing.

Comment: Three commenters stated that while they understand the need for cybersecurity training, the cost and logistical challenges could impose an additional burden on local governments. One commenter also stated that local health departments lack in-house cybersecurity expertise to provide technical assistance, beyond confirming submission of the newly required plans. They recommended the Department provide regional training opportunities, including online modules, and State-supported training subsidies to ensure equitable access to opportunities.

Response: The Department appreciates and understands the need for equitable access. Statewide oversight, implementation of Appendix 5-E requirements and technical assistance will be provided by the Department's Albany office to reduce the burden upon local health departments. Additionally, several cybersecurity training courses are offered online and free of cost. The Department will also explore providing additional free cybersecurity training opportunities using existing and new technical assistance programs so that training costs will not fall to municipalities in the foreseeable future. No changes to the proposed regulation were necessary as a result of these comments.

Comment: One commenter commended the Department for recognizing the importance of incident response planning and recommended that if modifications to the proposed rule are needed, to consider providing leeway to system operators in deciding the details of their incident response plans. They also recommended that the Department work with water systems in the creation of emergency response plans by using a framework where: Publicly Owned Treatment Works (POTW) determine which threat scenarios pose the greatest risk and prioritize accordingly; chart out what an adversary would need to do to complete an attack and plan accordingly; and conduct tabletop exercises to prepare for major threat scenarios.

Response: The Department will provide guidance regarding the content of the emergency response plan required by section 5-E.8 and will provide a template that may be used by water systems to meet this requirement. The Department welcomes feedback from water systems on the approach

used and templates provided and will consider all comments when making subsequent revisions to provided documents. The Department agrees that tabletop exercises are an important component of any comprehensive emergency management program and encourages all water systems to participate when they are offered.

Comment: One commenter expressed that they have no objection to including an Incident Response Plan in the water system emergency plan, provided the Incident Response Plan is not subject to publication under section 5-1.33, which requires that emergency plans be made available for review and comment by members of the public. This commenter, and several others, indicated that inclusion of the Incident Response Plan for such public review would pose grave security risks. The commenters recommended that the Department omit this requirement or explicitly exempt the written cybersecurity incident response plan required by this section from any requirement to make such plan public.

Response: Public Health Law section 1125(9)(b) and 10 NYCRR 5-1.33(h) both stipulate that information contained in the Water Supply Emergency Plan shall be exempt from public disclosure if it is determined by the water supplier that the information will pose a security risk to the operation of the water system. Water systems should, in their submission to the Department, indicate which sections of their water supply emergency plan should be kept confidential. No changes to the proposed regulation were made as a result of these comments.

Public Service Commission

NOTICE OF ADOPTION

Waiver of 2023 and 2024 Velocity Steam Meter Testing Requirements

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

Filing Date: 2025-11-19

Effective Date: 2025-11-19

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

Action taken: On 11/13/25, the PSC adopted an order granting Consolidated Edison Company of New York Inc.'s (Con Edison) request for waiver of 2023 and 2024 testing requirements for its steam velocity meters.

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

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

Purpose: To grant Con Edison's request for a waiver of 2023 and 2024 velocity steam meter testing requirements.

Substance of Final Rule: The Commission, on November 13, 2025, adopted an order granting Consolidated Edison Company of New York Inc.'s (Con Edison) request for waiver of 2023 and 2024 testing requirements for its steam velocity meters. The 2023 and 2024 steam velocity meter testing shortfalls of Con Edison shall be included in the 2025 steam velocity meter testing requirement. Con Edison shall file a report with the Secretary to the Commission, within 60 days of the end of calendar year 2025, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 5, 2025 issue of the Register, I.D. No. PSC-05-25-00018-P.

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

Text of rule may be obtained from: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: Beth.Faranda@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (23-S-0726SA2)

NOTICE OF ADOPTION

Gas Metering Equipment

I.D. No. PSC-14-25-00003-A

Filing Date: 2025-11-19

Effective Date: 2025-11-19

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

Action taken: On 11/13/25, the PSC adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (Niagara Mohawk) petition to use Landis+Gyr Technology, Inc.'s M225E, M225K, and M225L modules for in gas metering applications in New York State.

Statutory authority: Public Service Law, section 67(1)

Subject: Gas metering equipment.

Purpose: To approve Niagara Mohawk's petition to use Landis+Gyr Technology, Inc.'s modules for in gas metering in New York State.

Substance of final rule: The Commission, on November 13, 2025, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (Niagara Mohawk) petition to use Landis+Gyr Technology, Inc.'s M225E, M225K, and M225L modules for in gas metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 9, 2025 issue of the Register, I.D. No. PSC-14-25-00003-P.

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

Text of rule may be obtained from: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: Beth.Faranda@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (25-G-0150SA1)

NOTICE OF ADOPTION

Submetering of Electricity & Waiver Request

I.D. No. PSC-21-25-00003-A

Filing Date: 2025-11-19

Effective Date: 2025-11-19

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

Action taken: On 11/13/25, the PSC adopted an order authorizing 219 Owner LLC 's petition to submeter electricity at 219 East 42nd Street, New York, New York and granting request for waiver of energy audit.

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

Subject: Submetering of electricity & waiver request.

Purpose: To authorize 219 Owner LLC 's petition to submeter electricity.

Substance of final rule: The Commission, on November 13, 2025, adopted an order authorizing 219 Owner LLC 's petition to submeter electricity at 219 East 42nd Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and granting request for waiver of energy audit requirement, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 28, 2025 issue of the Register, I.D. No. PSC-21-25-00003-P.

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

Text of rule may be obtained from: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: Beth.Faranda@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

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

(25-E-0189SA1)

NOTICE OF ADOPTION**Submetering of Electricity & Waiver Request****I.D. No.** PSC-21-25-00004-A**Filing Date:** 2025-11-19**Effective Date:** 2025-11-19

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

Action taken: On 11/13/25, the PSC adopted an order authorizing Throop Owner LLC 's petition to submeter electricity at 601-619 Throop Avenue, Brooklyn, New York and granting request for waiver of energy audit.

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

Subject: Submetering of electricity & waiver request.

Purpose: To authorize Throop Owner LLC 's petition to submeter electricity.

Substance of Final Rule: The Commission, on November 13, 2025, adopted an order authorizing Throop Owner LLC 's petition to submeter electricity at 601-619 Throop Avenue, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and granting request for waiver of energy audit requirement, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 28, 2025 issue of the Register, I.D. No. PSC-21-25-00004-P.

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

Text of rule may be obtained from: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: Beth.Faranda@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

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

(25-E-0253SA1)

NOTICE OF ADOPTION**Submetering of Electricity & Waiver Request****I.D. No.** PSC-28-25-00009-A**Filing Date:** 2025-11-19**Effective Date:** 2025-11-19

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

Action taken: On 11/13/25, the PSC adopted an order authorizing Third North Holdings LLC 's notice of intent to submeter electricity at 1026 3rd Avenue, New York, New York and granting request for waiver of energy audit.

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

Subject: Submetering of electricity & waiver request.

Purpose: To authorize Third North Holdings LLC 's notice of intent to submeter electricity.

Substance of final rule: The Commission, on November 13, 2025, adopted an order authorizing Third North Holdings LLC 's notice of intent to submeter electricity at 1026 3rd Avenue, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and granting request for waiver of energy audit requirement, subject to the terms and conditions set forth in the order.

Text or summary was published in the July 16, 2025 issue of the Register, I.D. No. PSC-28-25-00009-P.

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

Text of rule may be obtained from: Beth Faranda, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-5306, email: Beth.Faranda@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

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

(25-E-0339SA1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****Ithaca UTEN Pilot Proposal Filing Provided by NYSEG****I.D. No.** PSC-49-25-00001-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 Utility Thermal Energy Network (UTEN) Pilot Proposal filing provided by New York State Electric & Gas Corporation (NYSEG) on November 7, 2025, related to its Ithaca Pilot Project Proposal.

Statutory authority: Public Service Law, sections 4(1), 65(1), 66(1) and 66-t

Subject: Ithaca UTEN Pilot Proposal filing provided by NYSEG.

Purpose: To consider whether it is in the public interest to authorize NYSEG to proceed with the Ithaca Pilot Project.

Substance of proposed rule: The Public Service Commission (Commission) is considering the Utility Thermal Energy Network (UTEN) Pilot Project Engineering Design for the Ithaca Project filed by New York State Electric & Gas Corporation (NYSEG) on November 7, 2025 (Ithaca Project Stage 2 November Filing), pursuant to the Commission Order Providing Guidance on Development of Utility Thermal Energy Networks (Order) issued in Case 22-M-0429 on September 14, 2023.

The Order established a multi-stage process for the development and implementation of UTEN pilot projects. At the conclusion of Stage 2 – Pilot Project Engineering Design and Customer Protection Plan – the utility proposing a project must submit a filing with detailed information for Commission consideration. The Commission can then determine whether it is in the public interest to advance the proposed pilot project to proceed to Stage 3 – Customer Acquisition and Pilot Project Construction.

NYSEG's Ithaca Project Stage 2 November Filing supplements the partial filing submitted on July 9, 2025, at which time NYSEG submitted its Customer Protection Plan. NYSEG's Ithaca Project Stage 2 November Filing supplements its July 9, 2025 filing with easements and land purchases, pilot cost and schedule, quantitative benefits, economic lifecycle analysis, treatment and recovery of pilot costs, pilot drawing set, and construction and operating standards. NYSEG anticipates a total project cost, including both capital expenditures and operations and maintenance expenses totaling approximately \$42 million for the five-year pilot term. NYSEG proposes to recover these costs from electric and gas customers through a new surcharge mechanism as a separate line item on the bill.

In assessing NYSEG's Ithaca Project Stage 2 Filing to determine whether it is in the public interest to approve or modify NYSEG's Ithaca Project to proceed to Stage 3, the Commission will consider, without limitation, the following factors identified in Public Service Law § 66-t(2): (1) whether the project "will develop information useful for the commission's promulgation of regulations governing thermal energy networks"; (2) whether the project "furthers the climate justice and/or emissions reduction mandates of the climate leadership and community protection act"; (3) whether the project "advances financial and technical approaches to equitable and affordable building electrification"; and (4) whether the project "creates benefits to customers and society at large." As the Ithaca Project is one of multiple UTEN pilot projects proposed by the other utilities, in considering whether it is in the public interest to approve NYSEG's Ithaca Project to proceed to Stage 3, the Commission will assess whether the project would test diverse UTEN technical system designs and configurations, business models, pricing structures, or other aspects of operating the UTEN. Commission action on the Ithaca Project Stage 2 Filing may include a determination about an appropriate rate structure for customers connected to the UTEN and cost recovery from NYSEG's other ratepayers. Additionally, as stated in the Order, the Commission will also consider performance metrics, associated tariff filings, data collection and reporting, and other elements that may be necessary to ensure proper monitoring and oversight of the Ithaca Project.

The full text of NYSEG's Ithaca Project Stage 2 November Filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the actions 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.

(22-M-0429SP24)

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

Petition to Submeter Electricity

I.D. No. PSC-49-25-00002-P

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

Proposed Action: The Commission is considering the Petition of Jemal's Elmwood LLC to Submeter Electricity at 976 Elmwood Avenue, Buffalo, Located in the Service Territory of Niagara Mohawk Power Corporation d/b/a National Grid.

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 Jemal's Elmwood LLC (Owner) on September 26, 2025, seeking authority to submeter electricity at a new residential building offering fair market units, located at 976 Elmwood Avenue, Buffalo, New York, located in the service territory of Niagara Mohawk Power Corporation d/b/a National Grid.

In the petition, the Owner requests authorization to take electric service from National Grid 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 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.

(25-E-0617SP1)

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

Energy Affordability Guarantee Pilot

I.D. No. PSC-49-25-00003-P

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

Proposed Action: The Commission is considering a proposal filed on November 17, 2025 by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. for cost recovery related to the administration of the Energy Affordability Guarantee Pilot.

Statutory authority: Public Service Law, sections 4(1), 5(1)(b), (2), 65(1), (2), (3), 66(1) and (2)

Subject: Energy Affordability Guarantee Pilot.

Purpose: To consider utility cost recovery for the administration of the Energy Affordability Guarantee Pilot.

Substance of proposed rule: The Public Service Commission (Commission) is considering the proposal filed on November 17, 2025 by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. (the Companies) for cost recovery related to the administration of the Energy Affordability Guarantee Pilot (Pilot). The Pilot was approved by the Commission as part of the August 15, 2024 Order Approving Energy Affordability Guarantee Pilot (Order), and ensures that low-income households that electrify their space and water heating through the EmPower+ program administered by the New York State Energy Research and Development Authority pay no more than six percent of their annual household income on electricity bills by providing supplemental bill payment assistance in the form of a Guarantee credit. In the Order, the Commission approved an administrative model that includes two phases, the first would last for two heating and cooling seasons and focus on gathering information on participant's electricity use characteristics, and the second phase would be entail the continued provision of the Guarantee credit, where necessary. The Order also directed electric utilities to file a plan that identifies and estimates the costs associated with administration of the Pilot, as well as a proposal to recover such costs.

In their filing pursuant to the Order, the Companies identified the following administrative activities related to the Pilot: manual data management to enroll customers and provide discounts; and modifications to the Companies' Customer Care and Billing System to standardize a customer data transfer template to align with Pilot needs. The Companies estimate that these costs will total \$182,820 through 2027 and propose to defer these costs and recovery them in the Companies' next rate proceeding.

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.

(14-M-0565SP23)

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

Petition to Submeter Electricity & Waiver of Energy Audit Requirement

I.D. No. PSC-49-25-00004-P

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

Proposed Action: The Commission is considering the petition of Broadway 2024 PropCo, LLC to submeter electricity at 222 Broadway, New York, New York, and the 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 & waiver of energy audit requirement.

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 Broadway 2024 PropCo, LLC (Owner) on October 8, 2025, seeking authority to submeter electricity at a new rental building, offering market rate and income eligible units, situated at 222 Broadway, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the Owner's request for waiver of 16 NYCRR § 96.5(k)(3), the requirement to conduct an energy audit.

In the petition, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. The Owner also requests a 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 and is therefore subject to the New York City Energy Conservation Code, which sets energy-efficiency standards for new construction, the Commission should waive the energy audit requirements of 16 NYCRR § 96.5(k)(3). 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 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.

(25-E-0637SP1)

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

Gas Metering Equipment

I.D. No. PSC-49-25-00005-P

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

Proposed Action: The Commission is considering a petition filed by Central Hudson Gas & Electric Corporation to use the Romet Adem 2025 Revision electronic volume corrector in gas metering applications in New York State.

Statutory authority: Public Service Law, section 67(1)

Subject: Gas metering equipment.

Purpose: To consider use of gas metering equipment and ensure that consumer bills will be based on accurate measurements of gas usage.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Central Hudson Gas & Electric Corporation (the Company) on October 27, 2025, for approval of the Romet Adem 2025 Revision Electronic Volume Corrector device for use in gas metering applications in New York State.

The Company intends to use the Romet Adem 2025 Revision Electronic Volume Corrector devices in natural gas customer billing applications. Public Service Law § 67(1) requires that utilities use metering equipment that has been approved by the Commission. In considering whether to approve a new type of gas meter and metering equipment for use in New York State, the Commission requires that the devices conform to the provisions of 16 NYCRR Parts 226 and 227.

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.

(25-G-0661SP1)

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

Petition to Submeter Electricity

I.D. No. PSC-49-25-00006-P

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

Proposed Action: The Commission is considering the petition of Parkhill Homes Association, Inc to submeter electricity at 755-765 42nd Street, Brooklyn, New York.

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

Subject: Petition to submeter electricity.

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

Substance of proposed rule: The Public Service Commission (Commission) is considering the petition filed by Parkhill Homes Association, Inc. (Parkhill Homes) on October 16, 2025, seeking authority to submeter electricity at an existing cooperative building consisting of twenty-three member-occupied units and one superintendent unit situated at 755-765 42nd Street, Brooklyn, New York, in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

Parkhill Homes requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. The Commission reviews the proposal for consistency with the requirements of 16 NYCRR Part 96. If approved by the Commission, submetering of electricity to residents is allowed so long it complies with the protections and requirements of the Commission's regulations.

The full text of the petition and 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.

(25-E-0648SP1)

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

Energy Affordability Guarantee Pilot

I.D. No. PSC-49-25-00007-P

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

Proposed Action: The Commission is considering a proposal filed on October 22, 2025 by the New York State Electric and Gas Corporation and Rochester Gas and Electric Corporation for cost recovery related to the administration of the Energy Affordability Guarantee Pilot.

Statutory authority: Public Service Law, sections 4(1), 5(1)(b), (2), 65(1), (2), (3), 66(1) and (2)

Subject: Energy Affordability Guarantee Pilot.

Purpose: To consider utility cost recovery for the administration of the Energy Affordability Guarantee Pilot.

Substance of proposed rule: The Public Service Commission (Commission) is considering the proposal filed on October 22, 2025 by the New York State Electric and Gas Corporation and Rochester Gas and Electric Corporation (the Companies) for cost recovery related to the administration of the Energy Affordability Guarantee Pilot (Pilot). The Pilot was approved by the Commission as part of the August 15, 2024 Order Approving Energy Affordability Guarantee Pilot (Order), and ensures that low-income households that electrify their space and water heating through the EmPower+ program administered by the New York State Energy Research and Development Authority pay no more than six percent of their annual household income on electricity bills by providing supplemental bill payment assistance in the form of a Guarantee credit. In the Order, the Commission approved an administrative model that includes two phases, the first would last for two heating and cooling seasons and focus on gathering information on participant's electricity use characteristics, and the second phase would be entail the continued provision of the Guarantee credit, where necessary. The Order also directed electric utilities to file a plan that identifies and estimates the costs associated with administration of the Pilot, as well as a proposal to recover such costs.

In their filing pursuant to the Order, the Companies identified the following administrative activities related to the Pilot: the transfer of data to and from the DPS Implementation Contractor, applying bill credits to customer accounts, maintenance of the list of participating customers, and customer communications. The Companies estimate that these costs will total \$120,000 in total and propose to defer these costs and recovery them in the Companies' next rate proceeding.

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.

(14-M-0565SP24)

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

Energy Affordability Guarantee Pilot

I.D. No. PSC-49-25-00008-P

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

Proposed Action: The Commission is considering a proposal filed on December 16, 2024 by Central Hudson Gas and Electric Corporation for cost recovery related to the administration of the Energy Affordability Guarantee Pilot.

Statutory authority: Public Service Law, sections 4(1), 5(1)(b), (2), 65(1), (2), (3), 66(1) and (2)

Subject: Energy Affordability Guarantee Pilot.

Purpose: To consider utility cost recovery for the administration of the Energy Affordability Guarantee Pilot.

Substance of proposed rule: The Public Service Commission (Commission) is considering the proposal filed on December 16, 2024 by Central Hudson Gas and Electric Corporation (Central Hudson) for cost recovery related to the administration of the Energy Affordability Guarantee Pilot Program (Pilot). The Pilot was approved by the Commission as part of the August 15, 2024 Order Approving Energy Affordability Guarantee Pilot (Order), and ensures that low-income households that electrify their space and water heating through the EmPower+ program administered by the New York State Energy Research and Development Authority pay no more than six percent of their annual household income on electricity bills by providing supplemental bill payment assistance in the form of a Guarantee credit. In the Order, the Commission approved an administrative model that includes two phases, the first would last for two heating and cooling seasons and focus on gathering information on participant's electricity use characteristics, and the second phase would be entail the continued provision of the Guarantee credit, where necessary. The Order also directed electric utilities to file a plan that identifies and estimates the costs associated with administration of the Pilot, as well as a proposal to recover such costs.

In its filing pursuant to the Order, Central Hudson identified the following administrative activities related to the Pilot: billing and crediting, including providing customer billing data to the implementation contractor, receiving Guarantee credits, and providing Guarantee credits to customers through a manual process; Information Technology enhancements including development of reports and cybersecurity review; customer communications including development and printing of new customer communication and education materials; and customer communications and customer services, including development of new procedures and materials regarding the Pilot and training Central Hudson's customer service representatives. Central Hudson estimates that these administrative activities will cost \$81,000 through 2027 and proposes to defer these costs and recovery them in Central Hudson's next rate proceeding.

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.

(14-M-0565SP22)

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

Petition to Submeter Electricity and Waiver of Energy Audit Requirement

I.D. No. PSC-49-25-00009-P

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

Proposed Action: The Commission is considering the petition of SB Gerard Avenue, LLC, to submeter electricity at 586 Gerard Avenue, Bronx, New York, and the 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 requirement.

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 SB Gerard Avenue, LLC (Owner) on October 8, 2025, seeking authority to submeter electricity at a new rental building, offering market rate and income eligible units, located at 586 Gerard Avenue, Bronx, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the Owner's request for waiver of 16 NYCRR § 96.5(k)(3), the requirement to conduct an energy audit.

In the petition, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. The Owner also requests for a 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 and is therefore subject to the New York City Energy Conservation Code, which sets energy-efficiency standards for new construction, the Commission should waive the energy audit requirements of 16 NYCRR § 96.5(k)(3). 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 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.

(25-E-0635SP1)

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

Petition to Submeter Electricity and Waiver of Energy Audit Requirement

I.D. No. PSC-49-25-00010-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 the petition of 77 Water LLC to submeter electricity at 77 Water Street, New York, New York, and the 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 requirement.

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 77 Water LLC (Owner) on October 22, 2025, seeking authority to submeter electricity at a new rental building, offering market rate and income eligible units, situated at 77 Water Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the Owner's request for waiver of 16 NYCRR § 96.5(k)(3), the requirement to conduct an energy audit.

In the petition, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. The Owner also requests for a 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 and is therefore subject to the New York City Energy Conservation Code, which sets energy-efficiency standards for new construction, the Commission should waive the energy audit requirements of 16 NYCRR § 96.5(k)(3). 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 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.

(25-E-0653SP1)

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

Petition to Submeter Electricity and Waiver of Energy Audit Requirement

I.D. No. PSC-49-25-00011-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 Third Street Owner LLC to submeter electricity at 155 3rd Street, Brooklyn, New York, and the 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 requirement.

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 Third Street Owner LLC (Owner) on October 8, 2025, seeking authority to submeter electricity at a new rental building, offering market rate and income eligible units, located at 155 3rd Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the Owner's request for waiver of 16 NYCRR § 96.5(k)(3), the requirement to conduct an energy audit.

In the petition, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. The Owner also requests for a 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 and is therefore subject to the New York City Energy Conservation Code, which sets energy-efficiency standards for new construction, the Commission should waive the energy audit requirements of 16 NYCRR § 96.5(k)(3). 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 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.

(25-E-0634SP1)

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

Petition to Submeter Electricity

I.D. No. PSC-49-25-00012-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 the petition of MRR 1326 LLC to submeter electricity at 126 East 57th 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 MRR 1326 LLC on September 23, 2025, seeking authority to submeter residential electricity at a new condominium building, offering market rate units, situated at 126 East 57th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, 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 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.

(25-E-0612SP1)

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

Notice of Intent to Submeter Electricity and Waiver of Energy Audit Requirement

I.D. No. PSC-49-25-00013-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 the notice of intent of Housing Works, Inc. to submeter electricity at 2611 Pitkin Avenue, 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: Notice of Intent to submeter electricity and waiver of energy audit requirement.

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 Housing Works, Inc. (Owner) on October 20, 2025, seeking authority to submeter electricity at a new rental building, offering income eligible units, located at 2611 Pitkin Avenue, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the Owner's request for waiver of 16 NYCRR § 96.5(k)(3), the requirement to conduct an energy audit.

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. The Owner also requests for waiver of 16 NYCRR § 96.5(k)(3). The Owner states that because the building is new construction and it must comply with the current New York State Energy Conservation Construction Code, which provides strict energy conservation requirements for new and renovated buildings, an energy audit is not necessary in this case. 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 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.

(25-E-0651SP1)

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-49-25-00015-P	Amendments to CO ₂ Budget Trading Program in NY	Via Webex—February 9, 2026, 2:00 p.m. and 6:00 p.m.
Housing and Community Renewal, Division of		
HCR-41-25-00024-P	Update State Regulations for the New York State Rural Rental Assistance Program (“RRAP”)	641 Lexington Ave., New York, NY—December 17, 2025, 10:00 a.m. 38-40 State St., Albany, NY—December 17, 2025, 10:00 a.m. 620 Erie Blvd., Syracuse, NY—December 17, 2025, 10:00 a.m. See https://hcr.ny.gov/rural-rental-assistance-program for information.

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
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-40-25-00005-P 10/08/26	Veterinary Certificates	Correct an incorrect reference to General Business Law
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ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-42-25-00002-P 10/22/26	State level certification of Certified Community Behavioral Health Centers (CCBHCs) in New York by OMH and OASAS.	To provide for oversight of CCBHCs by the Offices (OMH and OASAS).
ASA-45-25-00001-P	..... 11/12/26	General Service standards for Substance Use Disorder Outpatient Programs.	To clarify certain services in the regulation and bring children and family treatment and support services into Part 822.

BRIDGE AUTHORITY, NEW YORK STATE

*SBA-47-24-00001-P 11/20/25	Use of NYSBA property and rights-of way	To regulate the use of NYSBA property and roadway rights of way for utility location and routing
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CANNABIS MANAGEMENT, OFFICE OF

OCM-38-25-00008-P 09/24/26	Cannabis Showcase Events	Adds new section setting forth standards for Cannabis Showcase Events
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CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-10-25-00002-P 03/12/26	Child care assistance	To implement State and federal requirements, standardize terminology, clarify regulations, and formalize policy directives
CFS-46-25-00014-P 11/19/26	Diligence of efforts requirements and permanency planning for youth in foster care	To provide greater clarity and specificity for permanency planning requirements for youth in foster care.

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-41-25-00001-P	10/15/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-25-00002-P	10/15/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-25-00003-P	10/15/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-25-00004-P	10/15/26	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from and to classify positions in the non-competitive class
CVS-41-25-00005-P	10/15/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-25-00006-P	10/15/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-25-00007-P	10/15/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-41-25-00008-P	10/15/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-41-25-00009-P	10/15/26	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-25-00010-P	10/15/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-25-00011-P	10/15/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-25-00012-P	10/15/26	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-25-00013-P	10/15/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-25-00014-P	10/15/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-41-25-00015-P	10/15/26	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-25-00016-P	10/15/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-46-25-00001-P	11/19/26	Jurisdictional Classification	To delete a position from and to classify positions in the non-competitive class
CVS-46-25-00002-P	11/19/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-46-25-00003-P	11/19/26	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-46-25-00004-P	11/19/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-46-25-00005-P	11/19/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-46-25-00006-P	11/19/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-46-25-00007-P	11/19/26	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-46-25-00008-P	11/19/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-46-25-00009-P	11/19/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-46-25-00010-P	11/19/26	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-46-25-00011-P	11/19/26	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-46-25-00012-P	11/19/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-46-25-00013-P	11/19/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-48-25-00008-P	12/03/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-48-25-00009-P	12/03/26	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-48-25-00010-P	12/03/26	Jurisdictional Classification	To classify a position in the exempt class and to delete a position from the non-competitive class
CVS-48-25-00011-P	12/03/26	Jurisdictional Classification	To classify a position in the exempt class.
CVS-48-25-00012-P	12/03/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-48-25-00013-P	12/03/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-48-25-00014-P	12/03/26	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-48-25-00015-P	12/03/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-48-25-00016-P	12/03/26	Jurisdictional Classification	To classify positions in the exempt class and to classify a position in the non-competitive class
CVS-48-25-00017-P	12/03/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-48-25-00018-P	12/03/26	Jurisdictional Classification	To classify positions in the exempt class.
CVS-48-25-00019-P	12/03/26	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-48-25-00020-P	12/03/26	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-48-25-00021-P	12/03/26	Jurisdictional Classification	To classify a position in the exempt class.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-32-25-00001-P	08/13/26	Parole Board decision making for minor offenders.	To clarify what the Board must consider when conducting an interview and rendering a decision.
CCS-37-25-00001-P	09/17/26	Great Meadow Correctional Facility	Repeal section pertaining the Great Meadow Correctional Facility which was closed in 2024.
CCS-37-25-00002-P	09/17/26	Sullivan Correctional Facility	Repeal section pertaining to Sullivan Correctional Facility which was closed in 2024.
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-35-25-00003-P	09/03/26	Hate Crime Demographic Data Collection	To provide for the use and collection of hate crime demographic data of victims of hate crimes and the persons arrested therefor
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-40-25-00003-P	10/08/26	Excelsior Jobs Program	To update the additional administrative process of this tax credit program
EDV-40-25-00004-EP	10/08/26	empire state jobs retention program	To update the empire state jobs retention program to increase its efficiency
EDV-41-25-00017-P	10/15/26	Semiconductor Research and Development Project Program	Allow Dept to implement the Semiconductor R&D Project Program
EDV-42-25-00001-P	10/22/26	Newspaper and broadcast media jobs program	To create the administrative process of the newspaper and broadcast media jobs program
EDUCATION DEPARTMENT			
EDU-30-25-00003-P	07/30/26	Regents Advisory Council on Museums term lengths	To reduce the length of terms to three years and establish a limit of two consecutive terms
EDU-38-25-00009-P	09/24/26	Outreach for the supplemental nutrition assistance program	To implement Part B of Chapter 56 of the Laws of 2025.
EDU-38-25-00010-P	09/24/26	Statewide Protocols for Diapering and Toileting	To implement Chapter 361 of the Laws of 2024.
EDU-38-25-00011-P	09/24/26	Dual enrollment programs	To implement section 319 of the Education Law which directs the Commissioner to adopt a statewide dual enrollment policy.
EDU-38-25-00012-P	09/24/26	Shared pharmacy services.	To conform the Commissioner’s regulations with Chapter 491 of the Laws of 2024.
EDU-38-25-00013-P	09/24/26	Special education impartial hearing officers (IHOs).	To amend the definition of an IHO and to clarify the IHO complaint process.
EDU-42-25-00013-EP	10/22/26	Transferring of Prescriptions by Pharmacists	Require pharmacists and pharmacies to transfer a patient’s entire prescription, including all authorized refills, upon request
EDU-42-25-00014-P	10/22/26	Special education due process hearings.	Clarifying the due process rights of parents of students who parentally-place their children in nonpublic schools

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-42-25-00015-P	10/22/26	The National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF)	To update the regulations referencing an older version of the NIST CSF and to update an outdated retention policy.
EDU-46-25-00016-P	11/19/26	Comprehensive library board policies.	To strengthen library governance and accountability across New York's public and association libraries.
EDU-46-25-00017-P	11/19/26	Personal finance education and climate education.	Ensuring personal finance education and climate education is provided to students in grades kindergarten through 12.
EDU-46-25-00018-P	11/19/26	Professional learning plans.	See attached
ELECTIONS, STATE BOARD OF			
SBE-09-25-00002-P	03/05/26	Automatic Voter Registration	Provides procedures relative to automatic voter registration pursuant to Title 9 of Article 5 of the Election Law.
SBE-35-25-00001-EP	09/03/26	Public Campaign Finance Program requirements	To update program regulations to conform with recent statutory changes to Title II of the Election Law.
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-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
ENV-09-25-00001-P	03/05/26	Operation of Motorized Vehicles, Vessels, Aircraft and Motorized Equipment in the Forest Preserve	Protection of public safety and natural resources
ENV-24-25-00005-P	06/18/26	Amendments to New York State fisher and pine marten trapping seasons and methods for allowable take.	To modify fisher trapping seasons in upstate New York
ENV-25-25-00017-P	08/26/26	Wastewater cybersecurity	To create minimum cybersecurity controls for DEC regulated wastewater facilities.
ENV-26-25-00002-P	10/01/26	Environmental Remediation Programs	To amend 6 NYCRR Part 375, Environmental Remediation Programs.
ENV-34-25-00001-EP	08/27/26	Sanitary Condition of Shellfish Lands.	To reclassify underwater shellfish lands to protect public health and general welfare.
ENV-39-25-00017-P	12/02/26	Climate Smart Community Projects	To update regulations required by statute to implement climate smart community projects.
ENV-49-25-00015-P	02/09/27	Amendments to CO2 budget trading program in NY.	Regulation of CO2 emissions from power plants in NY.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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-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-05-25-00002-RP	..... 02/05/26	Compliance with Banking Law Section 28-bb	This rule implements the mandate of Banking Law Section 28-bb.
DFS-41-25-00026-P	..... 10/15/26	Private Passenger Automobile and Commercial Automobile Statistical Plans Implementation of Private Passenger Automobile Ins	To repeal Part 145 obsolete requirements and reference section 2 of NAIC's 2012 statistical handbook in Part 140.
DFS-43-25-00001-P	..... 10/29/26	Principle-Based Reserving	To adopt the 2025 Valuation Manual.
DFS-49-25-00014-P	..... 12/10/26	Anti-Arson Application	To repeal 11 NYCRR Subpart 62-4 in compliance with Chapter 439 of the Laws of 2025
GAMING COMMISSION, NEW YORK STATE			
SGC-20-25-00001-P	..... 05/21/26	Voluntary self-exclusion duties of operators.	To enhance the State's voluntary self-exclusion program.
SGC-38-25-00001-P	..... 09/24/26	Lottery bulk ticket purchases.	To mitigate risk of an attempt to purchase all or substantially all lottery number combinations or available instant tickets.
SGC-40-25-00012-P	..... 10/08/26	License duration and renewal period for newly licensed gaming facilities.	To establish the license duration and renewal period for newly licensed gaming facilities.
SGC-48-25-00022-P	..... 12/03/26	Lottery rules consolidation	To consolidate various provisions of general applicability across lottery games into common rule provisions.
SGC-48-25-00023-P	..... 12/03/26	Millionaire for Life lottery game.	To permit the Commission to raise revenue for State education by offering a new lottery game.
SGC-48-25-00024-P	..... 12/03/26	Mega Millions lottery game.	To update Mega Millions lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00025-P	..... 12/03/26	Raffle lottery game.	To update raffle lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00026-P	..... 12/03/26	Lotto lottery game.	To update Lotto lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00027-P	..... 12/03/26	Numbers lottery game.	To update Numbers lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00028-P	..... 12/03/26	Win 4 lottery game.	To update Win 4 lottery game rules in a standardized format for draw-game rules.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
GAMING COMMISSION, NEW YORK STATE			
SGC-48-25-00029-P	12/03/26	Quick Draw lottery game.	To update Quick Draw lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00030-P	12/03/26	Cash for Life lottery game.	To repeal rules governing a lottery game that will be discontinued.
SGC-48-25-00031-P	12/03/26	Monopoly Millionaires' Club lottery game.	To repeal rules governing a disused lottery game.
SGC-48-25-00032-P	12/03/26	Powerball lottery game.	To update Powerball lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00033-P	12/03/26	Pick 10 lottery game.	To update Pick 10 lottery game rules in a standardized format for draw-game rules.
SGC-48-25-00034-P	12/03/26	Take 5 lottery game.	To update Take 5 lottery game rules in a standardized format for draw-game rules.
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-52-24-00002-RP	03/24/26	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-28-25-00012-RP	07/16/26	Cybersecurity Requirements for Public Water Systems	To establish enforceable cybersecurity requirements to protect public water systems that serve the people of New York.
HLT-29-25-00001-P	07/23/26	Special Needs Assisted Living Residence (SNALR) Voucher Program	To establish the guidelines surrounding the SNALR Voucher Program for Persons with Dementia.
HLT-38-25-00014-P	09/24/26	Enteral Nutrition Defined Benefit Changes	To increase the enteral nutrition oral supplementation defined benefit calorie limit.
HLT-40-25-00001-P	10/08/26	Ionizing Radiation	Compatibility with federal standards and modernization to reflect current technology.
HLT-46-25-00015-P	11/19/26	Children's Camps	To protect the health and safety of children who attend children's overnight, summer day and traveling summer day camps.
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
HCR-41-25-00024-P	12/17/26	Update state regulations for the New York State Rural Rental Assistance Program ("RRAP").	To update the Rural Rent Assistance Program regulations to conform with long-standing practice.
LAW, DEPARTMENT OF			
LAW-06-25-00005-P	02/12/26	Price gouging.	Provide means by which pre-disruption price may be established for purposes of proving a prima facie price gouging case.
LAW-06-25-00006-P	02/12/26	Price gouging.	Create a presumption of unfair leverage based on thresholds related to market share or market concentration.

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LAW, DEPARTMENT OF			
LAW-06-25-00007-P	02/12/26	Price gouging.	Clarify circumstances that could constitute unfair leverage or unconscionable means.
LAW-06-25-00008-P	02/12/26	Price gouging.	To provide common price gouging definitions and for severability of price gouging rules.
LAW-06-25-00009-P	02/12/26	Price gouging.	Provide means of determining whether new essential products bear an unconscionably excessive price.
LAW-06-25-00010-P	02/12/26	Price gouging.	Define "gross disparity" for price gouging purposes and provide guidance on rebutting a prima facie "gross disparity" case.
LAW-06-25-00011-P	02/12/26	Price gouging.	Clarify geographic scope of price gouging statute.
LAW-06-25-00012-P	02/12/26	Price gouging.	Provide guidance on counting of costs or profit margins for purposes of an affirmative defense to price gouging.
LAW-39-25-00001-P	10/01/26	Stop Addictive Feeds Exploitation (SAFE) for Kids Act	To implement Article 45 of the General Business Law, the Stop Addictive Feeds Exploitation (SAFE) for Kids Act
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
LPA-38-25-00015-P	..... exempt	ReCharge New York	To implement ReCharge New York for non-net metered customers
LPA-38-25-00016-P	..... exempt	New York State Energy Affordability Guarantee Pilot Program	To implement the New York State EAG Pilot program in the LIPA service territory.
LPA-38-25-00017-P	..... exempt	Standby Rate and Buyback Services	To introduce Standby Rates through Standby Service and update Buyback Service.
LPA-38-25-00018-P	..... exempt	Sub/Transmission Level Rates and New IA requirement	To charge Sub/Transmission level rates for customers connected to LIPA’s system at 23,000 kVa or higher and new IA requirement.
LPA-38-25-00019-P	..... exempt	Annual Budget Process	To implement rate adjustments as determined through LIPA’s annual budget process.

MENTAL HEALTH, OFFICE OF

OMH-13-25-00001-P 04/02/26	Rights of Patients	To permit the opening of mail in a secure location to prevent exposure through Office approved safety devices.
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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
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
NIAGARA FALLS WATER BOARD			
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	..... exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-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-40-25-00011-P	..... exempt	Rates for the Sale of Power and Energy	To align rates with cost
PUBLIC EMPLOYMENT RELATIONS BOARD			
PRB-17-25-00002-RP	..... 04/30/26	Rules and regulations to effectuate the purpose of the State Employment Relations Act (Labor Law Art. 20).	To enact decertification procedures and to update procedures applicable in PERB's private sector jurisdiction.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*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

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PUBLIC SERVICE COMMISSION			
*PSC-07-09-00017-P exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify, in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC)	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s)
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000	To consider allowing Knolls Water Company to enter into a long-term loan agreement
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-36-14-00009-P	..... exempt	Modification to the Commission’s Electric Safety Standards	To consider revisions to the Commission’s Electric Safety Standards
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison’s low income program to include Medicaid recipients	Whether to expand Con Edison’s low income program to include Medicaid recipients
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*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 Aspiry for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*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-16-20-00004-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by Central Hudson
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To provide cost recovery for new DLM programs and prevent double compensation to participating customers
*PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-39-21-00007-P	..... exempt	The proposed alternative method of account identification	To facilitate secure customer data exchanges between the utility or provider and energy service entities
*PSC-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-05-22-00001-P	..... exempt	Green gas products	To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products
*PSC-13-22-00011-P	..... exempt	Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020	To consider a rehearing petition
*PSC-14-22-00008-P	..... exempt	An opt-out community distributed generation program	To establish the program rules for offering community distributed generation on and opt-out basis in New York State
*PSC-18-22-00002-P	..... exempt	NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance	To determine if NYSEG and RG&E's petition for waiver is in the public interest
*PSC-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
*PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
*PSC-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
*PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
*PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
*PSC-24-22-00007-P	..... exempt	St. Lawrence Gas' petition for a waiver of its 2021 service quality performance	To determine if St. Lawrence Gas' petition for waiver is in the public interest
*PSC-30-22-00009-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project	To ensure appropriate regulation of an electric corporation
*PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York	To consider compensation for bioenergy generation

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00009-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00012-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00014-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00015-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-13-23-00022-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility	Consideration of a lightened regulatory regime for the owner of an approximately 150 MW energy storage facility
*PSC-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-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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-42-23-00013-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
*PSC-02-24-00002-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
*PSC-02-24-00005-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
*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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-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-26-24-00002-P	..... exempt	Energy Service Company Home Warranty Products	To consider proposed consumer protections on Energy Service Company Home Warranty Products
*PSC-26-24-00009-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-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-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-32-24-00037-P	..... exempt	Rehearing if the order denying authority to recover incremental costs to implement a new CSS above the \$421 million cap	To determine whether to authorize temporary accounting treatment for the capital costs in excess of the \$421 million cap
*PSC-33-24-00001-P	..... exempt	Customer required transformers and associated equipment	To establish provisions to ensure safe and reliable service for all customers
*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-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

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-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-41-24-00024-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-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-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-48-24-00006-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-49-24-00013-P	..... exempt	Transfer of assets.	To ensure the transfer of utility company assets is in the general interest of the public.
PSC-51-24-00004-RP	..... 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-52-24-00012-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-52-24-00015-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-02-25-00001-P	..... exempt	Transfer of ownership and control of regulated telephone corporations.	General supervision and oversight of telephone corporations.
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-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.
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-05-25-00017-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-05-25-00020-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-08-25-00006-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-08-25-00007-P	..... exempt	Proposed major rate increase in Con Edison's delivery revenues of approximately \$440 million (or 13.3% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-08-25-00008-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-08-25-00009-P	..... exempt	Con Edison proposes to extend survey and inspection intervals for indoor gas service lines.	To approve, deny, or modify Con Edison's proposal to extend survey and inspection intervals for indoor gas service lines
PSC-08-25-00010-P	..... exempt	Proposed major rate increase in Con Edison's delivery revenues of approximately \$1.61 billion (or 11.4% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-25-00006-P	..... exempt	To review a pilot proposal and associated budgets.	To assess whether the proposed pilot program impact is in the public interest.
PSC-10-25-00004-P	..... exempt	The New York State Standardized Interconnection Requirements (SIRs).	To consider increased cost certainty for distributed generation and energy storage projects interconnecting to utility systems.
PSC-11-25-00003-P	..... exempt	Implementation of an exemption from the All-Electric Buildings Act, which prohibits certain use of fossil-fueled equipment.	To consider a reasonableness standard for exempting certain new buildings from the All-Electric Buildings Act.
PSC-12-25-00028-P	..... exempt	The calculation of certain negative revenue adjustments associated with customer service performance for 2023 and 2024	To determine if approving NYSEG and RG&E's petition is in the public interest.
PSC-13-25-00002-P	..... exempt	Standby Service rates and Buyback Service rates.	To establish updated Standby Service and Buyback Service rates that are just and reasonable.
PSC-13-25-00003-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-13-25-00004-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-13-25-00005-P	..... exempt	To consider a petition for rehearing.	To consider a petition for rehearing.
PSC-13-25-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-13-25-00009-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-13-25-00011-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-13-25-00012-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-17-25-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-17-25-00009-P	..... exempt	Climate Change Resilience Plans.	To consider the Resilience Plan submitted by New York State Gas and Electric Corporation.
PSC-17-25-00010-P	..... exempt	Climate Change Resilience Plans.	To consider the Resilience Plan submitted by Rochester Gas and Electric Corporation.
PSC-19-25-00003-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-19-25-00004-P	..... exempt	Minor rate filing to increase annual revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-19-25-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-21-25-00002-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-21-25-00005-P	..... exempt	Transfer of ownership interests in a 55 megawatt natural gas-fired cogeneration facility located in North Tonawanda, NY.	To address the transfer and any matters within the public interest.
PSC-21-25-00006-P	..... exempt	Minimum broadband download speeds required under the ABA.	To provide ABA customers adequate broadband speeds.
PSC-21-25-00007-P	..... exempt	Petition to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-22-25-00002-P	..... exempt	To establish a statewide policy for residential service terminations during extreme heat events.	To establish utility protections, policies and procedures related to the suspension of terminations during extreme heat events.
PSC-22-25-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-22-25-00004-P	..... exempt	The calculation of NYSEG and RG&E's Electric Reliability Performance Metrics for calendar year 2024.	The ascertainment of accurate electric reliability performance metrics for NYSEG and RG&E.
PSC-22-25-00007-P	..... exempt	Initial Tariff Schedule, P.S.C. No. 1 - Water.	To provide the rates, rules, and regulations under which water service will be provided to the customers of the system.
PSC-22-25-00008-P	..... exempt	Transfer of franchises or stocks.	To consider if replacement of Argo GP by an Apollo-controlled entity is subject to § 70, or in the public interest under § 70.
PSC-23-25-00002-P	..... exempt	Promulgate rules and regulations to require the trimming of vines on utility poles.	To establish minimum requirements regarding vine management.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-25-25-00005-P	..... exempt	Petition dated May 28, 2025 seeking various relief from the Commission's April 28, 2025 Order in this proceeding.	Whether to grant, deny or modify, in whole or in part, the various relief requested in the petition.
PSC-25-25-00006-P	..... exempt	Petition dated May 28, 2025 seeking various relief from the Commission's April 28, 2025 Order in this proceeding.	Whether to grant, deny or modify, in whole or in part, the various relief requested in the petition.
PSC-25-25-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-25-25-00009-P	..... exempt	Petition to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-25-25-00010-P	..... exempt	Petition dated May 28, 2025 seeking various relief from the Commission's April 28, 2025 Order in this proceeding.	Whether to grant, deny or modify, in whole or in part, the various relief requested in the petition.
PSC-25-25-00012-P	..... exempt	Petition dated May 28, 2025 seeking various relief from the Commission's April 28, 2025 Order in this proceeding.	Whether to grant, deny or modify, in whole or in part, the various relief requested in the petition.
PSC-25-25-00015-P	..... exempt	Ownership of Chautauqua Utilities, Inc.	To consider whether a proposed transfer of ownership interest in Chautauqua Utilities, Inc. is in the public interest.
PSC-26-25-00008-P	..... exempt	Petition to extend a water works corporation's escrow account.	To determine if the extension of Emerald Green's escrow account is in the public interest.
PSC-26-25-00012-P	..... exempt	Lease of property.	To determine whether to authorize the lease of property.
PSC-27-25-00019-P	..... exempt	Proposed early deployment decarbonization projects and low carbon fuels pilot program.	To address the need for and cost recovery of early deployment decarbonization projects and low carbon fuels pilot program.
PSC-27-25-00021-P	..... 07/09/26	Institution of mandatory, minimum, enforceable cybersecurity rules for information technology.	To protect private customer data, minimize financial risks of cyber attacks, and fulfill statutory mandates.
PSC-28-25-00002-P	..... exempt	O&R's proposal for a Gas DR Pilot and associated budgets.	To promote gas system reliability by encouraging gas demand reductions during peak gas demand days.
PSC-28-25-00003-P	..... exempt	Con Edison's proposal for a Gas DR Pilot and associated budgets.	To promote gas system reliability by encouraging gas demand reductions during peak gas demand days.
PSC-28-25-00004-P	..... exempt	Notice of Intent to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-28-25-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-28-25-00006-P	..... exempt	Deferral of incremental expenses beyond a gas utility's control for future recovery in rates.	Whether to grant or deny Conring's petition pursuant to which the Company would be permitted to recover interest costs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-28-25-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-28-25-00010-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-29-25-00003-P	..... exempt	Proposal to modify Medium- and Heavy Duty Electric Vehicle Make-Ready Pilot Program established in the Make Ready Order.	To consider modified eligibility requirements to expand participation in the Pilot.
PSC-29-25-00004-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-29-25-00005-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-29-25-00006-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime for FCS is consistent with the PSL.
PSC-30-25-00001-P	..... exempt	NOCO Electric, LLC and NOCO Natural Gas, LLC's smart monitoring product.	To consider whether the smart monitoring product should be offered to mass-market customers.
PSC-30-25-00002-P	..... exempt	Black Brook Hydroelectric project located in Black Brook, New York.	To promote and maintain renewable generation resources.
PSC-31-25-00001-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-25-00002-P	..... exempt	Minor electric rate filing to increase annual electric base revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-25-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-25-00004-P	..... exempt	Proposal to modify the L2 EV plug limit and budget for the Program established in the Make Ready Order.	To consider modifications to the Program so that the Joint Utilities may use their unspent budgets and build L2 EV chargers.
PSC-31-25-00005-P	..... exempt	Petition to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-25-00006-P	..... exempt	Petition to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-25-00007-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-25-00008-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-32-25-00002-P	..... exempt	Proposed upstream transfer related to electric plant and steam plant.	To consider whether the proposed transfer of electric and steam plant is in the public interest.
PSC-32-25-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-32-25-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-32-25-00005-P	..... exempt	Notice of Intent to submeter electricity & request for waiver of energy audit requirement	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-33-25-00001-P	..... exempt	Compensation methodology for zero-emissions nuclear generation resources.	To maintain zero-emission electric generation energy resources.
PSC-33-25-00002-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-34-25-00003-P	..... exempt	The Rockefeller Center UTEN Pilot Proposal filings provided by Con Edison.	To consider whether it is in the public interest to authorize Con Edison to proceed with the Rockefeller Center Pilot Project.
PSC-34-25-00004-P	..... exempt	The Haverstraw UTEN Pilot Proposal filings provided by O&R.	To consider whether it is in the public interest to authorize O&R to proceed with the Haverstraw Pilot Project.
PSC-34-25-00005-P	..... exempt	Clean Energy Standard administration.	To authorize the funding necessary for continued implementation of the Clean Energy Standard in 2026.
PSC-34-25-00006-P	..... exempt	The Mount Vernon UTEN Pilot Proposal filings provided by Con Edison.	To consider whether it is in the public interest to authorize Con Edison to proceed with the Mount Vernon Pilot Project.
PSC-34-25-00007-P	..... exempt	The Brooklyn UTEN Pilot Proposal filings provided by KEDNY.	To consider whether it is in the public interest to authorize KEDNY to proceed with the Brooklyn Pilot Project.
PSC-34-25-00008-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-25-00009-P	..... exempt	The Syracuse UTEN Pilot Proposal filings provided by National Grid.	To consider whether it is in the public interest to authorize National Grid to proceed with the Syracuse Pilot Project.
PSC-34-25-00010-P	..... exempt	The Chelsea UTEN Pilot Proposal filings provided by Con Edison.	To consider whether it is in the public interest to authorize Con Edison to proceed with the Chelsea Pilot Project.
PSC-34-25-00011-P	..... exempt	Thermal Energy Network Pilot Proposal Customer Protection Plan filings provided by New York State Electric & Gas Corporation.	Consider the Thermal Energy Network Customer Protection Plan filing.
PSC-35-25-00005-P	..... exempt	Modifications to the Make-Ready Program to incentivize EV supply equipment developers to build EV charging stations.	To consider the modification of plug designations in the EV Make-Ready program.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-35-25-00006-P	..... exempt	Consideration of the Audit Implementation Plans and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addressed and implemented.
PSC-35-25-00007-P	..... exempt	Establishment of the regulatory regime applicable to the owner and operator of a solar generation project.	To ensure appropriate regulation of an independent power producer participating in wholesale electric markets.
PSC-35-25-00008-P	..... exempt	Establishment of the regulatory regime applicable to the owner and operator of a solar generation project.	To ensure appropriate regulation of an independent power producer participating in wholesale electric markets.
PSC-36-25-00001-P	..... exempt	A residential weatherization program for the Downstate Utilities.	To consider whether the proposed weatherization program should be approved, rejected, or modified.
PSC-36-25-00002-P	..... exempt	A residential weatherization program for the Upstate Utilities.	To consider whether the proposed weatherization program should be approved, rejected, or modified.
PSC-36-25-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-36-25-00004-P	..... exempt	Renewable Energy Standard Maintenance Tier.	To consider modifying the cap on Maintenance Tier Awards.
PSC-36-25-00005-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime for MCES is consistent with the PSL.
PSC-36-25-00006-P	..... exempt	Community Distributed Generation (CDG).	To consider rehearing of the Commission's July 17, 2025 order.
PSC-36-25-00007-P	..... exempt	Agreement for the provision of water service and waivers.	To consider whether the terms of a water main extension agreement and requested waivers are in the public interest.
PSC-36-25-00008-P	..... exempt	Petition to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-36-25-00009-P	..... exempt	Financial accountability methods for Energy Brokers and Energy Consultants.	To further implement the provisions of Public Service Law Section 66-t.
PSC-37-25-00003-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime for Oxbow Hill is consistent with the PSL.
PSC-37-25-00004-P	..... exempt	Proposed major rate increase in NYSEG's annual electric revenues by approximately \$464.4 million.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-37-25-00005-P	..... exempt	Proposed major rate increase in RG&E's annual electric revenues by approximately \$220.2 million.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-37-25-00006-P	..... exempt	Proposed major rate increase in RG&E's annual gas revenues by approximately \$72.9 million.	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-37-25-00007-P	..... exempt	Proposed major rate increase in NYSEG's annual gas revenues by approximately \$93 million.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-37-25-00008-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(2); 86.3(b)(1) & (2); and 88.4(a)(4)	To consider a waiver of Article VII requirements relating to the content of the application for transmission line siting.
PSC-38-25-00002-P	..... exempt	Implement transaction based customer satisfaction survey.	To ensure adequate consumer service and put metric measures in place.
PSC-38-25-00003-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-38-25-00004-P	..... exempt	Waiver of the timing requirement in the Commission's policy on test years in rate cases.	To determine whether waiver of the Commission's 150 day requirement for test years is in the public interest.
PSC-38-25-00005-P	..... exempt	Waiver of the timing requirement in the Commission's policy on test years in rate cases.	To determine whether waiver of the Commission's 150 day requirement for test years is in the public interest.
PSC-38-25-00006-P	..... exempt	Waiver of the timing requirement in the Commission's policy on test years in rate cases.	To determine whether waiver of the Commission's 150 day requirement for test years is in the public interest.
PSC-38-25-00007-P	..... exempt	Waiver of the timing requirement in the Commission's policy on test years in rate cases.	To determine whether waiver of the Commission's 150 day requirement for test years is in the public interest.
PSC-39-25-00002-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-25-00003-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime for Hoffman Falls Wind is consistent with the PSL.
PSC-39-25-00004-P	..... exempt	The New York State Standardized Interconnection Requirements (SIRs).	To enable eligible projects to be placed in-service within the time frames identified in IRS Notice 2025-42.
PSC-39-25-00005-P	..... exempt	Notice of Intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-25-00006-P	..... exempt	Design and implementation of a Commercial Managed Charging Program within the Upstate Utilities' service territories.	To improve the efficacy and participation in the Upstate Commercial Managed Charging Programs.
PSC-39-25-00007-P	..... exempt	Notice of Intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-25-00008-P	..... exempt	Exemptions from Buyback Service Contract Demand Charges.	To consider whether to extend the exemption from Buyback Service Contract Demand Charges for stand-alone energy storage.
PSC-39-25-00009-P	..... exempt	Petition 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-39-25-00010-P	..... exempt	The applicable regulatory regime for the owner and operator of a wind-powered generating facility.	To determine whether a lightened regulatory regime for Agricola is consistent with the PSL.
PSC-39-25-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-25-00012-P	..... exempt	Interconnection costs.	To consider a filing requesting relief from interconnection costs assigned by National Grid.
PSC-39-25-00013-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-25-00014-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-25-00015-P	..... exempt	Modifications to the Managed Charging Program to increase adoption of electric vehicle (EV) supply equipment and infrastructure.	To incentivize managed EV charging to encourage EV adoption to meet the State's EV adoption goals.
PSC-39-25-00016-P	..... exempt	Monthly reporting requirements established in 2002 for demand response programs.	To consider the cancellation of requirements to file monthly demand response program activity reports, which are duplicative.
PSC-40-25-00006-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-40-25-00007-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, and refinancing of maturing debt.
PSC-40-25-00008-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-40-25-00009-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-40-25-00010-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-41-25-00020-P	..... exempt	A debt financing arrangement with respect to an solar electric generating facility under development.	To review the proposed financing and consider whether approval is within the public interest.
PSC-41-25-00021-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-41-25-00022-P	..... exempt	Revisions to tariff leaves.	To ensure just and reasonable cost recovery related to a demand response pilot program.
PSC-41-25-00023-P	..... exempt	The NYSEERDA Clean Transportation Prize Program.	To consider modified timeline, reporting, and collection parameters to the NYSEERDA Clean Transportation Prize Program.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-42-25-00003-P	..... exempt	Transfer of indirect ownership of the telephone systems, cable television system and cable franchises.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.
PSC-42-25-00004-P	..... exempt	Bulk energy storage programs.	To consider proposed methodologies for estimating market revenue for long duration, 12+ hour, battery energy storage resources.
PSC-42-25-00005-P	..... exempt	Implementation of the Host Community Benefit Program.	To consider a proposal for administering customer bill credits funded by the owner of a major renewable energy facility.
PSC-42-25-00006-P	..... exempt	New Tariff Schedule, P.S.C. No. 1 - Water, and exemption from public service law requirements.	To ensure that a Homeowners' Association's water service is in all respects just, reasonable, and in the public interest.
PSC-42-25-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-25-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-25-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-25-00010-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-25-00011-P	..... exempt	Petition to submeter electricity & request for waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-25-00012-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-25-00002-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-25-00003-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.
PSC-43-25-00004-P	..... exempt	Lightened regulatory regime and financing for the owner and operator of a photovoltaic solar electric generating facility.	To determine the regulatory framework and applicable financing for a competitive wholesale provider of electricity.
PSC-43-25-00005-P	..... exempt	The Build-Ready Program under the Clean Energy Standard	To consider discontinuation of the Build-Ready Program as a ratepayer-funded program.
PSC-44-25-00001-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-44-25-00002-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-44-25-00003-P	..... exempt	The Offshore Wind Standard	To consider the New York State Energy Research and Development Authority's Offshore Wind Implementation Plan Proposal.
PSC-44-25-00004-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-45-25-00002-P	..... exempt	Ampersand Ogdensburg Hydroelectric project located in Ogdensburg, New York.	To promote and maintain renewable electric energy resources.
PSC-48-25-00001-EP	..... exempt	Pause disenrollment in utility Energy Affordability Programs (EAPs) and extend lookback for EAP-qualifying program benefits.	To protect low income households from losing credits towards their utility bills and ultimately, termination of service.
PSC-48-25-00003-P	..... exempt	Approval of the proposed cost apportionment.	To ensure a fair division of costs among customers on line extensions without passing costs to the general body of ratepayers.
PSC-48-25-00004-P	..... exempt	Proposed tariff modification.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-48-25-00005-P	..... exempt	Clean Energy Standard Tier 1 repowering requirements.	To modify the Tier 1 repowering requirements as applicable to hydroelectric generating resources.
PSC-48-25-00006-P	..... exempt	Dexter hydroelectric project located in Dexter, New York.	To promote and maintain renewable energy resources.
PSC-48-25-00007-P	..... exempt	Victory Mills hydroelectric project located in Victory Mills, New York.	To promote and maintain renewable energy resources.
PSC-49-25-00001-P	..... exempt	The Ithaca UTEN Pilot Proposal filing provided by NYSEG.	To consider whether it is in the public interest to authorize NYSEG to proceed with the Ithaca Pilot Project.
PSC-49-25-00002-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-49-25-00003-P	..... exempt	Energy Affordability Guarantee Pilot.	To consider utility cost recovery for the administration of the Energy Affordability Guarantee Pilot.
PSC-49-25-00004-P	..... exempt	Petition to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.
PSC-49-25-00005-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-49-25-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections, and energy efficiency improvements are in place.
PSC-49-25-00007-P	..... exempt	Energy Affordability Guarantee Pilot.	To consider utility cost recovery for the administration of the Energy Affordability Guarantee Pilot.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-49-25-00008-P	..... exempt	Energy Affordability Guarantee Pilot.	To consider utility cost recovery for the administration of the Energy Affordability Guarantee Pilot.
PSC-49-25-00009-P	..... exempt	Petition to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-49-25-00010-P	..... exempt	Petition to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.
PSC-49-25-00011-P	..... exempt	Petition to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-49-25-00012-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-49-25-00013-P	..... exempt	Notice of Intent to submeter electricity & waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY			
RGT-48-25-00002-P	..... 12/03/26	Identifies prohibited conduct, consequences of prohibited conduct, and the available appeals process.	To provide rules governing prohibited conduct to enhance safety of the public using RGRTA's services and facilities.
STATE, DEPARTMENT OF			
DOS-24-25-00003-P	..... 06/18/26	Submission of student lists.	To ease burden on schools by removing requirements that student lists be submitted to the Department of State.
DOS-24-25-00004-P	..... 06/18/26	Submission of student Lists.	To ease burden on schools by removing requirements that student lists be submitted to the Department of State.
DOS-41-25-00018-P	..... 10/15/26	Practical Applications of Real Estate Appraisal (PAREA) Programs.	To adopt as an means of experience toward credentialing Practical Applications of Real Estate Appraisal (PAREA) Programs.
DOS-41-25-00019-P	..... 10/15/26	Appraiser Qualification Standards and Related Rules.	To update minimum qualifications to meet new federal standards set to go into effect on January 1, 2026.
STATE UNIVERSITY OF NEW YORK			
SUN-24-25-00006-P	..... 06/18/26	SUNY Community College presidential appointment and approval process; presidential contract review; and temporary leadership.	Improve the process by which SUNY community college presidents and administrators-in-charge are appointed and approved.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TAXATION AND FINANCE, DEPARTMENT OF			
*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-46-25-00019-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, 2026 through March 31, 2026.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-41-25-00025-EP	..... 10/15/26	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth federally-mandated changes to the values and application of the SUAs.
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-28-25-00011-P	..... exempt	A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA.	A proposal to fund ongoing operations.

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

ALPS Distributors, Inc.
140 Lakeside Ave., Suite 100, Seattle WA 98122
State or country in which incorporated — Delaware

Bozzuto Acquisition Multifamily Co-Investment Fund, LLC
6406 Ivy Lane, Suite 700, Greenbelt, MD 20770

DeRosa Capital 20, LLC
6542A Lower York Rd., #126, New Hope, PA 18938
State or country in which incorporated — Wyoming

Palmer Square Funds Trust
1900 Shawnee Mission Parkway Suite 315, Mission Woods, KS 66205
State or country in which incorporated — Delaware

Saab AB (publ)
Olof Palmes gata 17, SE-111 22 Stockholm, Sweden
State or country in which incorporated — Sweden

TCG Capital Markets, LLC
1 Vanderbilt Ave., Suite 3400, New York, NY 10017
State or country in which incorporated — Delaware

UG SPM Investor I, LLC
1503 Nickerson St., Austin, TX 78704
State or country in which incorporated — Texas

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE LIGHTING/CONTROLS Ten Eyck Office Building Albany, Albany County

Sealed bids for Project No. 47677-E, comprising a contract for Electrical Work, Replace Lighting & Controls, Ten Eyck Office Building, 40 N Pearl St, 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, December 17, 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 \$90,300 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 \$3,000,000 and \$4,000,000 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 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 \$1,680,923 or less, adjusted annually for inflation as of March 1, 2025. 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.

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

The substantial completion date for this project is 573 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 1:00 pm. on December 5, 2025, Ten Eyck Office Building, 40 N Pearl St, 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 Sharon Schumann, (518-474-5584) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

For questions about downloading of bid documents, please send an

e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency Services

11 British American Blvd., 2nd Fl.
Latham, NY 12110

LOCAL GOVERNMENTS, STATE AND FEDERALLY RECOGNIZED INDIAN TRIBAL GOVERNMENTS, CERTAIN PRIVATE NON-PROFITS (PNPS) THAT PERFORM A GOVERNMENT-LIKE FUNCTION

Hazard Mitigation Grant Program Post Fire (HMGP-PF)

Hazard Mitigation Grant Program Post Fire (HMGP-PF) Notice of Funding Opportunity (NOFO)

FM-5547-NY New York Jennings Creek Fire (Declared November 15, 2024)

NOFO Issued to Orange County and contiguous counties only (Dutchess, Putnam, Rockland, Sullivan, Ulster, Westchester)

CFDA 97.039

The New York State Division of Homeland Security and Emergency Services (DHSES) is announcing the availability of the Hazard Mitigation Grant Program Post Fire (HMGP-PF) funds as a result of the Fire Management Assistance Grant (FMAG) Declaration for: FM-5547-NY New York Jennings Creek Fire (Incident Period: November 8, 2024 – November 22, 2024).

FEDERAL FUNDS AVAILABLE: \$963,923

DATE ANNOUNCED: November 21, 2025

SUBAPPLICATIONS DUE TO DHSES: January 6, 2026 by 5:00 PM EST

To disseminate program information to the widest possible audience, DHSES places program information on its website and asks that County Emergency Managers, Mitigation Coordinators, and other recipients of this notice forward the information to interested eligible subapplicants.

PROGRAM OVERVIEW

Following the New York Jennings Creek Fire FMAG declaration (FM-5547-NY November 8, 2024 – November 22, 2024), New York State received Hazard Mitigation Grant Program-Post Fire (HMGP-PF) funds to support the implementation of hazard mitigation measures that aim to substantially reduce the risk of future damage, hardship, loss, or suffering in areas affected by the fire.

Projects that directly benefit the FMAG declared county (Orange County), will be prioritized, especially those projects within Orange County that mitigate future wildfire risk. Additional information on prioritization criteria can be found on Page 4 below.

For more information, visit the Hazard Mitigation page within the DHSES website: <https://www.dhSES.ny.gov/hazard-mitigation>

FEDERAL FUNDING AVAILABLE

Through this NOFO, a total of \$963,923¹ in federal funding is currently available to: Orange, Dutchess, Putnam, Rockland, Sullivan, Ulster and Westchester Counties only.

ELIGIBILITY

Eligible Subapplicants:

- Local Governments.
- State and federally recognized Indian Tribal Governments.
- Certain Private Non-Profits (PNPs) that perform a government-like function.

For projects that benefit individual homeowners or business owners, the local government must be the subapplicant on behalf of the homeowners and/or business owners.

Eligible applicants under FEMA's Public Assistance (PA) program are also eligible subapplicants under the HMGP.²

Hazard Mitigation Plan Requirement

Subapplicants must have an adopted and FEMA-approved Local Hazard Mitigation Plan (LHMP) to receive funding. The proposed activity in the subapplication must be consistent with the goals and objectives of the LHMP and directly reduce the vulnerabilities identified in the risk assessment. Current county and municipal plan statuses can be found on FEMA's website³ and links to approved LHMP's can be found on MitigateNY⁴

Eligible Activities

Eligible activities include Hazard Mitigation Projects (activities involving construction and/or physical work), and other activities that have restrictions on the amount of funding that may be used. Activities that can be accomplished under HMGP-PF are generally the same as those under regular HMGP. Eligible activity types and their funding caps are as follows:

Activity Type (Funding Category)	Funding Cap (%)	Funding Cap (\$)
Projects Cost-effective construction projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure.	No cap	No cap
Advance Assistance Studies and scoping activities to support the development of a future eligible HMGP sub-application.	Up to 25%	\$240,980
Planning Mitigation planning and planning activities that create, update, or enhance hazard mitigation plans.	Up to 7%	\$67,474
5% Initiative Hazard mitigation measures that are difficult to evaluate against traditional program cost effectiveness.	Up to 5%	\$48,196
Codes and Standards Activities that involve the adoption, enforcement, and enhancement of disaster-resistant building codes and standards.	Up to 5%	\$48,196

Additional details on eligible activities can be found on page 6.

COST-SHARE REQUIREMENTS

For this funding opportunity, HMGP-PF shall provide up to 75% reimbursement of eligible costs, not to exceed the award. The remaining 25% non-federal cost share will be the responsibility of the subapplicant.

The non-federal cost share may consist of cash, donated or in-kind services, materials, or any combination thereof. While most Federal funds cannot be used for the non-federal cost share, there are some exceptions.⁵

New York State Hazard Mitigation Revolving Loan Fund (HMRLF)

The HM RLF program may be a source of support for assisting localities in meeting the non-federal cost share. This program provides low-interest loans, with interest rates of 1% or less, that do not require repayment until after project completion. Loans may be used as a non-federal cost share for another Hazard Mitigation Assistance grant application, including the grants covered under this funding opportunity announcement. Local governments interested in learning more about this program or submitting a loan application should review the NYS DHSES Website⁶ and/or email hazardmitigationRLF@dhses.ny.gov.

ELIGIBLE COSTS

Pre-Award Costs

Pre-award costs directly related to developing the subapplication may be funded through HMGP-PF as funds are available. Such costs may have been incurred, for example, to develop a Benefit-Cost Analysis (BCA), to gather environmental and historic preservation-related data, for preparing design specifications, or for workshops or meetings related to development and submission of HMGP-PF subapplication. Pre-award costs must be identified as separate line items in the cost estimate of the sub-application. All pre-award costs must also be included in the BCA calculation.

Costs associated with implementation of the activity, but incurred prior to Federal award or final approval are not eligible (projects initiated or completed prior to Federal award or full approval of the project).

Applicants and sub-applicants who are not awarded grants or sub-awards will not receive reimbursement for any corresponding pre-award costs.

Subrecipient Management Costs

HMGP-PF projects are eligible for subrecipient management costs up to a cap of 5% of the eligible subapplication costs and reimbursed at a 100% federal cost share following the submission of complete source documentation. Management costs are not automatically provided or calculated and subrecipients must include a request for management costs in their subapplications if they wish to apply for them. Management costs are not calculated as part of the BCA.

Management costs are defined as any indirect cost, any direct administrative cost, and any other administrative expense associated with a specific project under a major disaster, emergency or disaster preparedness or hazard mitigation activity or measure.

FEDERALLY ESTABLISHED PRIORITIES

The HMGP-PF grant differs from regular HMGP in that it requires states to use FEMA-established priorities, as outlined in the Hazard Mitigation Assistance Program and Policy Guide, Version 2.1.

For this grant opportunity, HMGP-PF funding will first be prioritized as follows:

PRIORITIZATION CRITERIA

- 1 Activities that benefit Orange County with wildfire hazard mitigation projects/activities such as defensible space measures, ignition-resistant construction, hazardous fuels reduction, erosion control measures, slope stabilization or post-wildfire flood reduction measures.
- 2 If funds are available, activities unrelated to wildfire hazard mitigation, such as generally allowable HMGP projects within Orange County or burned tribal lands.
- 3 If funds are available, activities related to wildfire hazard mitigation, such as generally allowable HMGP projects, outside of Orange County or burned tribal lands.
- 4 If funds are available, activities unrelated to wildfire hazard mitigation, such as generally allowable HMGP projects outside of Orange County or burned tribal lands.

HOW TO APPLY

Complete subapplications must be submitted electronically to DHSES at: hazardmitigation@dhses.ny.gov no later than 5:00 PM EST on January 6, 2026.

Please make sure to use the appropriate subapplication for the category of funding you are applying for. Failure to use the proper

HMGP-PF subapplication documents could result in disqualification. For resubmittals of projects, please submit using the subapplication package for FM-5547-NY.

Subapplications, all required forms, and guidance materials can be found on the DHSES website:

<https://www.dhses.ny.gov/hazard-mitigation>.

After full subapplication packages are submitted, NYS DHSES reviews them for eligibility and ranks them for funding consideration according to established priorities. NYS DHSES then submits the ranked subapplications to FEMA for funding consideration. Lastly, FEMA conducts its own review, which includes environmental and historic preservation considerations, and issues subgrant awards to eligible projects. Upon notification of approval and funding, NYS DHSES prepares a subgrant contract with the subrecipient.

Work cannot start prior to approval. Commencement of work prior to approval could result in termination of your subaward and no reimbursement.

TECHNICAL ASSISTANCE

DHSES will be scheduling an HMGP-PF subapplication development workshop webinar. The finalized date and time will be posted on our website under “Current Funding Opportunities”.

Please check the website under “helpful links” for technical guidance materials, including information on BCAs, flood maps and local plan statuses.

DHSES will provide additional technical assistance throughout the subapplication process. This includes assistance with the subapplication process, Benefit Cost Analysis, Engineering Feasibility and Environmental/Historical Preservation Compliance.

Please submit questions to hazardmitigation@dhses.ny.gov.

PERIOD OF PERFORMANCE

The period of performance for HMGP Post Fire ends on March 31, 2030, which is 48 months after the close of FEMA’s application period.

OTHER

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability, or marital status. It is against the law for DHSES to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with state or federal civil rights laws.

ONLINE RESOURCES

- NYS DHSES main Hazard Mitigation site: <https://www.dhses.ny.gov/>
- NYS HMP: <https://mitigateny.org/>
- Local HMP links: https://mitigateny.org/plan_to_act_local_planning
- FEMA HMP status map: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=aeb0e462543b4fa69aeaf858945e1262>
- FEMA’s HMGP Post Fire site: <https://www.fema.gov/grants/mitigation/learn/post-fire>
- FEMA’s Hazard Mitigation Assistance site: <https://www.fema.gov/grants/mitigation>
- FEMA’s Hazard Mitigation Assistance Program and Policy Guide: <https://www.fema.gov/grants/mitigation/learn/hazard-mitigation-assistance-guidance>
- FEMA’s Benefit Cost Analysis site: <https://www.fema.gov/grants/tools/benefit-cost-analysis>
- FEMA HMA Cost Share Guide: https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf
- US Census Quick Facts: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=aeb0e462543b4fa69aeaf858945e1262>

ADDITIONAL DETAILS ON ELIGIBLE ACTIVITIES

For more details on eligibility for FEMA’s Hazard Mitigation Assistance (HMA) Programs, visit: https://www.fema.gov/sites/default/files/documents/fema_hma-guide-v2.1_2025.pdf

Details related to HMGP Post Fire Eligibility begin on page 435 of the Guide linked above.

Hazard Mitigation Projects are cost-effective projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure. Projects are eligible if they result in a reduction to future natural hazard damage. FEMA's Hazard Mitigation Assistance Programs are designed to assist subapplicants in implementing long-term, cost-effective improvements that will reduce, minimize, or eliminate risk to people and property from the effects of natural hazards.

Wildfire mitigation projects mitigate at-risk structures and associated loss of life from the threat of future wildfire and will be prioritized with this funding. To be eligible, wildfire mitigation projects must clearly reduce wildfire risks to residential, non-residential, public, and commercial buildings and infrastructure. Such projects must:

- Be located within a Wildland Urban Interface (WUI). The WUI refers to zones where human-made structures and infrastructure - such as homes, schools, cell towers, and water supply systems - are located in or adjacent to wildfire-prone areas;
- Be adjacent to or integrated with developed areas; and
- Provide protection for lives and the built environment from future wildfire threats.

Wildfire mitigation activities can include, but are not limited to:

- Post-Wildfire Flooding Prevention and Sediment Reduction Measures:

- Preventative measures that protect property at the base of slopes made vulnerable to erosion and/or flooding because of loss of vegetation or changes in soil composition post-wildfire.

- Examples include: Reforestation, soil stabilization (slope stabilization), groundcover vegetation re-establishment (e.g., seeding and mulching), flash flooding prevention (e.g. sediment traps or checking dams), debris mitigation, infrastructure and utility protection, culvert upgrades & erosion control measures.

- Defensible Space:

- Creation of perimeters around homes, structures and critical facilities through the removal or reduction of flammable vegetation. Must demonstrate hazard mitigation to protect structures, including residential, public, and/or commercial facilities.

- Note on Eligibility: Private property owners must complete or agree to maintain defensible space measures around structures.

- Ignition-Resistant Building Materials and Infrastructure

- Application of ignition-resistant techniques and/or non-combustible materials on new and existing homes, structures and critical facilities.

- Could include ignition-resistant utility pole structures and repair, replacement, or upgrades of water systems.

- Fire Suppression Systems (Sprinklers):

- Exterior sprinkler systems to help extinguish flames and prevent the spread of fire to nearby buildings or combustible vegetation. Only external water hydration or thermal insulation systems are eligible.

- Fuels Reduction/Vegetation Management:

- Removal of vegetative fuels proximate to at-risk structures that, if ignited, pose a significant threat to human life and property, especially critical facilities.

- Includes treatments to reduce wildfire fuel loads in Wildland Urban Interface (WUI) areas.

- Wildfire and Post-Wildfire Warning Systems:

- Equipment and systems that protect against flood hazards following wildfires (e.g., flash flooding) by way of early warnings for residents.

A complete list and details on eligible projects can be found in FEMA's Hazard Mitigation Assistance Program and Policy Guide (HMA Guide), Version 2.1 (effective as of January 20, 2025) see Part 12. Mitigation Projects.

Ineligible Activities

- Projects that do not protect homes, neighborhoods, structures or infrastructure.

- Activities associated with facilities or land owned by another federal entity where the specific authority relating to the activities lies with another federal entity.

- Projects to address ecological or agricultural issues related to land and forest management (e.g., insects, diseases, infestations, damage from extreme weather events affecting the forest-wide health).

- Irrigation of vegetation to avoid disease or drought-related infestation.

- Projects to protect the environment or watersheds.

- Projects for prescribed burning or clear-cutting.

- Projects for maintenance activities, deferred or future, without an increase in the level of protection.

- Projects for the purchase of fire-related equipment (e.g., vehicles, fire trucks) or communications equipment, except for warning equipment and systems.

- Creation and maintenance of access roads or staging areas for wildfire response equipment.

- Creation and maintenance of fire breaks.

- Purchase of equipment to accomplish eligible work (e.g., chain-saws, chippers).

- Projects for vegetation irrigation systems installed on the ground and designed to moisten the surface.

- Development or enhancement of fire suppression capability through the purchase of equipment or resources (e.g., water supply or sources, dry hydrants, cisterns not related to water hydration systems, dip ponds).

BENEFIT COST ANALYSIS (BCAs)

HMGP funded projects must be verified as cost-effective by demonstrating that future benefits (losses avoided) are equal to or greater than the project's costs. A Benefit-Cost Analysis (BCA) is a method that determines the future risk reduction benefits of a hazard mitigation project and compares those benefits against its costs. To receive HMGP funding, subapplicants must use FEMA-approved methodologies and tools such as the FEMA BCA Toolkit (v6.0 software) to demonstrate the cost-effectiveness of their projects. The result is a Benefit-Cost Ratio (BCR). A project is considered cost-effective when a BCR of 1.0 or greater is achieved, indicating that the project's future benefits outweigh its costs.

If a formal BCA demonstrating a Benefit Cost Ratio (BCR) of 1.0 or greater (with supporting documentation) is not provided, substantive information to demonstrate that a BCR of 1.0 or greater is achievable must be included. Either instance requires supporting documentation, including but not limited to documentation of historical damages (which may include a detailed attestation by a community official), copies of invoices, Project Worksheets (PWs) from FEMA's Public Assistance (PA) program, or likelihood of future damages (including the population impacted).

Discount Rate

The FEMA BCA Calculator has been updated recently to revert the discount rate to 7% due to the publication of OMB M-25-23 on April 8, 2025. This memo rescinded the November 2023 update to OMB Circular A-94 and restored the 1992 version, restoring the discount rate to 7%. Future benefits must be reduced because benefits that are experienced sooner are worth more. The discount rate is used to calculate the net present value of proposed hazard mitigation projects. The 7% discount rate is now set as the default for calculations in the BCA Toolkit. Visit FEMA's Benefit Cost Analysis website for more information.

Streamlined approaches to Benefit-Cost Analysis

FEMA has established streamlined cost-effectiveness determination methods for certain project types. For example, FEMA offers "pre-calculated benefits" for some project types, including (but not necessarily limited to) acquisitions, elevations, wind retrofits, tornado safe rooms, hospital generators, and post-wildfire mitigation. Further details, including application submission requirements, may be found below and in the HMA Guide, Part 5, Section B.1.3. These streamlined methods fulfill the cost-effectiveness requirement if the project meets applicable criteria, including achieving a BCR of 1.0 or greater.

Wildfire Benefit-Cost Analysis

Wildfire and vegetation management projects mitigate at-risk structures and associated loss of life from the threat of future wildfire through:

- Defensible space: projects creating perimeters around homes, structures, and critical facilities through the removal or reduction of flammable vegetation.
- Ignition-resistant construction: projects that apply ignition resistant techniques and/or non-combustible materials on new and existing homes, structures, and critical facilities.
- Hazardous fuels reduction: projects that remove vegetative fuels near at-risk structures.

BCA Software and Methodology

FEMA requires the use of its BCA software (version 6 for all BCAs). Subapplicants can get information related to conducting a FEMA approved BCA here: <https://www.fema.gov/grants/tools/benefit-cost-analysis>.

Data used in the Analysis

In order to complete a wildfire BCA, you must have the following information (this is not intended as a comprehensive list):

- Zip code of the project site.
- Project description.
- Project cost and annual maintenance cost.
- Number of structures being protected (if any). This information typically comes from a GIS-based analysis that shows the number of structures within the project area of effectiveness. FEMA defines the area of effectiveness for fuels reduction projects as two miles from the perimeter of the project. This often results in very large numbers of structures being included. It is not necessary to include every structure, and in many cases, it is advisable to limit the number for simplicity. For the defensible space and ignition-resistant construction project types, the area of effectiveness is limited to whatever structure or structures are immediately adjacent to the project.
- The value of structures within the project area of effectiveness. This is determined by calculating or estimating the total square footage and then multiplying this value by the per-square-foot building replacement value. There are several standard open sources of the replacement value.
- Number of people occupying structures in the project area of effectiveness. This can be determined by using the U.S. Census quick facts website and then multiplying the persons-per-household by the number of residential structures.
- The value of saleable timber in the project area of effectiveness. This is not mandatory and is normally used only when the benefits of a proposed project are insufficient without adding this category.
- The value of infrastructure in the project area of effectiveness. This is typically limited to overhead electric lines and is rarely used.

Benefits

Benefits of wildfire mitigation projects include protecting structures, contents and infrastructure, avoiding injuries and deaths, and (in some cases) protecting saleable timber from being destroyed or damaged by fire. The software also allows the use of environmental benefits, which include five "open space" categories, e.g. green open space, riparian, wetlands, forest, marine/estuary. These categories may be used in a BCA only when areas that were previously developed are being returned to one of these uses via the mitigation project.

Documentation

FEMA requires subapplicants to provide documentation for all data that is used in a BCA. This must be included with the materials that are submitted as part of the application package. For wildfire projects, this includes an indication of how many structures and infrastructure elements (if applicable) are within the project area of effectiveness, the value of these elements, the number of people who reside within the area of effectiveness, and indications of the areas included in pre-calculated benefits, such as return to riparian uses and other environmental benefits. FEMA includes a limited range of default data in the software (burn probability – based on zip code, and logging and per

diem rates), and if subapplicants choose to use information other than the default, this must be fully documented and explained in a narrative.

Best Practices

DHSES strongly recommends that each subapplicant BCA be supplemented by a brief technical report that summarizes the approach to the analysis, the data that was used, the sources of the data, and the results of the analysis.

DHSES also recommends that for wildfire hazardous fuels reduction projects, that subapplicants use GIS approaches to determine the project area of effectiveness and the numbers of structures (or infrastructure elements) that are within this area, AND that local appraisal or GIS/tax records be used as the basis for determining the area of structures included in the BCA.

Pre-calculated Benefits

FEMA policy allows certain post-wildfire mitigation project types to qualify for pre-calculated benefits, where a full traditional BCA would not be required to prove the project's cost effectiveness. A pre-calculated benefits calculation can be used for projects that are designed to reduce risk from related hazards such as soil stabilization, flood diversion and reforestation projects, where the total project cost is under \$5,250 per acre.

To use the pre-calculated benefits, the subapplicant would multiply the number of acres being mitigated by the total benefits per acre. For example, if a soil stabilization project will provide ground cover, soil stabilization, and replanting for 1,000 acres; the pre-calculated benefits would be calculated by multiplying 1,000 (the number of acres included in the project) x \$5,250 (pre-calculated benefit per acre) resulting in \$5,250,000 in project benefits. If the total project cost is less than or equal to the calculated project benefits, then the project is determined to be cost-effective, and no separate BCA is required.

If the pre-calculated benefits are not greater than the project costs, the BCA Toolkit can be used to perform a traditional BCA.

¹ The amount of HMGP-PF funding available is determined by FEMA's national aggregate calculation based on an average of historical FMAG declarations from the past 10 years. The amount is recalculated at the beginning of every fiscal year.

² See Part 4. B. in FEMA's Hazard Mitigation Assistance Program and Policy Guide (effective January 20, 2025)

³ <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=aeb0e462543b4fa69aeaf858945e1262>

⁴ https://mitigateny.org/local_mitigation/county_plan_status

⁵ See FEMA's Hazard Mitigation Assistance Cost Share Guide

⁶ See NY DHSES Website for HM RLF information

Housing Trust Fund Corporation

Office of Community Renewal

38–40 State St., 4th Fl. S

Albany, NY 12207

ORGANIZATIONS INCORPORATED UNDER THE NEW YORK STATE NOT-FOR-PROFIT CORPORATION LAW AND THAT ARE COMMUNITY FOOD SERVICE PROVIDERS

Community Development Block Grant Program (NYS CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES) Funding

The Housing Trust Fund Corporation (HTFC) announces the availability of approximately \$2 million in NYS Community Development Block Grant (CDBG) funding for COVID-19 response available through the CARES Act (CDBG-CV) to expand existing services by community food service providers, combat hunger by distributing food to those in need, and respond to higher demand. This amount is a guideline for expected awards and HCR reserves the right to award additional funds, a portion of, or none of the funds.

NYS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-CV Funding

Program Description

The New York State Community Development Block Grant Program (NYS CDBG) is a federally funded program administered by the Housing Trust Fund Corporation’s (HTFC) Office of Community Renewal (OCR). The CDBG-CV funding will be available to prepare, prevent, or respond to impacts of COVID-19 and potential variants or future pandemics.

This Notice of Funding Availability (NOFA) and corresponding Request for Application (RFA) are intended as a continuance of the funding opportunity made available for CDBG-CV funding administered by OCR.

Eligible Applicants

The Office of Community Renewal will accept applications from organizations incorporated under the New York State Not-For-Profit Corporation Law and that are community food service providers such as food banks, food pantries, soup kitchens, and mobile pantries that are proposing to expand services using CDBG-CV funds. Applicants must:

- Eligible not-for-profits are community food service providers such as food banks, food pantries, soup kitchens, and mobile pantries that are proposing to expand services as a result of receiving CDBG-CV funds.
- Applicants must demonstrate qualified not-for-profit status for at least two years prior to applying.
- Applicants that demonstrate exceptional financial and administrative capacity, and an ability to meet federal requirements to qualify as a subrecipient are required.
- Applicants that are, 1) not up to date with charities bureau registration or other required filings, 2) on a funds suspended or debarment list, or 3) in default or non-compliant with existing state contracts are not eligible to apply.

OCR will prioritize funding to organizations with:

- A well established, regional distribution network with record of efficient, consistent and timely implementation of services.
- Experience administering CDBG-CV projects, demonstrating success and significant progress on existing awards.
- Adequate capacity to administer the project.

Eligible Activities

1. Food Programs

Applicants may request funds to expand a program that provides food and supplies to low-to moderate-income communities to improve health outcomes, address food insecurity, and secure those populations against Coronavirus and future pandemics. Applicants can propose purchasing food supplies and distributing them through established networks. Specific uses of funds include:

- Inventory
- Supplies (ex. boxes, packaging & organizational material)
- Furniture & Equipment (ex. free standing shelves, tables)

2. Grant Administration

Applicants may budget up to 10% of the total request amount for CDBG program administration. Administration funds are released incrementally over the grant term as progress on projects is made. Administration costs include salaries, wages, and costs directly related to the Recipient’s staff and consultant’s time worked on administering the CDBG-CV grant award.

Applicants must document need and demand for proposed activities and present clear proposal for timely expenditure of funds. The grant agreement term for awarded funds shall not extend beyond September 30, 2026.

Funding Limits

Minimum	Maximum
\$100,000	\$500,000

These limits are provided as guidelines for expected award limits. Larger or smaller awards may be approved based on demonstrated need and capacity to complete proposed activities.

Application for Funding

The application for CDBG-CV Activities is available on the NYS CDBG Homes and Community Renewal web site beginning November 21, 2025. Applications will be accepted on an open round basis with rolling awards until 4:00 pm Friday, January 30, 2026 or until funding has been exhausted. Applications must be submitted using the application form provided online and submitted to CDBG CARES@hcr.ny.gov.

Applicants may make a request, based on demonstrated need, to submit a paper application in lieu of using the provided email inbox. Requests for approval to submit a paper application must be sent to: NYS Homes and Community Renewal, Office of Community Renewal – CDBG CARES Hampton Plaza, 38-40 State Street, 4th Floor South, Albany, NY 12207.

Contact Information

For inquiries or technical assistance regarding the NYS CDBG program, please contact: CDBG CARES@hcr.ny.gov, (518) 474-2057

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.

NOTICE OF PUBLIC HEARING

City of Buffalo, Buffalo Water Board and
Buffalo Municipal Water Finance Authority

Pursuant to New York State Public Authorities Law section 1048-i(4), the City of Buffalo, the Buffalo Water Board and the Buffalo Municipal Water Finance Authority hereby give notice of a public hearing:

Time and Date: 9:00 a.m., Wednesday, January 14, 2026

Place/Contact: Colonel Ward Water Treatment Plant (Main Office), Foot of Porter Avenue, Buffalo, New York, and the public may participate in the hearing by attending in person, or by computer access by "MS Teams" computer link: City of Buffalo and Buffalo Water Board Public Hearing Link, or by Toll Free Conference Call to (347) 918-4875, Conference Code ID: 141 567 48#. The Colonel Ward Water Treatment Plant Main Office has free parking on site and is accessible for disabled persons. Please check the Buffalo Water website (www.Buffalowater.org) for further instructions or for any changes to the date, location and time of the public hearing or for instructions to access the public hearing, and for updated information.

Purpose: A joint hearing will be held by the City of Buffalo, the Buffalo Water Board and the Buffalo Municipal Water Finance Authority for the purpose of soliciting public comment from all persons who use the Buffalo Water System concerning the proposed amendment to Appendix A of the Financing Agreement by and among the City of Buffalo, the Buffalo Municipal Water Finance Authority and the Buffalo Water Board concerning the Buffalo Water Board's current six year capital improvement program, to be financed by bonds to be issued by the Buffalo Municipal Water Finance Authority. A copy of the proposed amendment is available for public inspection at the office of the Clerk of the City of Buffalo at 1308 City Hall, Buffalo, New York 14202 (716) 851-5431, the Buffalo Municipal Water Finance Authority and the Buffalo Water Board at 602 City Hall, Buffalo, New York 14202 (716) 851-9626.

For further information, contact: Buffalo Water Board and City of

Buffalo, Peter J. Merlo, P.E., City of Buffalo Principal Engineer, and Secretary of Buffalo Water Board and Buffalo Municipal Water Finance Authority, 602 City Hall, Buffalo, NY 14202, (716) 851-9626, pmerlo@city-buffalo.com

PUBLIC NOTICE

Division of Criminal Justice Services
New York State Juvenile Justice Advisory Group

Pursuant to Public Officer Law § 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State Juvenile Justice Advisory Group:

Date: December 10, 2025
Time: 10:00 a.m. - 1:00 p.m.
Place: 80 S. Swan St., 1st Floor, Room 118
Albany, NY 12210

For further information contact: Trista Deame, Chief of Criminal Justice Program Planning and Development, Office of Youth Justice, Division of Criminal Justice Services, 80 S. Swan St., 8th Fl., Albany, NY 12210, e-mail: Trista.Deame@dcjs.ny.gov, (518) 485-9166

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2024-0310 Matter of Rick Martell, 2126 Buffalo Road, Rochester, NY 14624, for a variance concerning safety requirements, including distance from a hydrant. Involved is a one-family dwelling located at 679 Ogden Parma Townline Road, Town of Ogden, County of Monroe, State of New York.

2025-0823 Matter of Randall F. Peacock, Architect, 545 Spring Meadow Lane, Webster, NY 14580, for a variance concerning safety requirements, including sprinkler protection. Involved is a new building located at 5218 East Lake Road, Town of Livonia, County of Livingston, State of New York.

2025-0847 Matter of Cornell Design and Construction, Bob Cornell, P.O. Box 18532, Rochester, NY 14618, for a variance concerning safety requirements, including foundation insulation. Involved is an addition to a one-family dwelling located at 303 Wilmot Road, Town of Brighton, County of Monroe, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless other-

wise 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.

2025-0836 Matter of Scott McCabe, 7 Cumberland Street, Islip, NY 11751, for a variance concerning safety requirements, including basement height requirement. Involved is an existing dwelling located at 7 Cumberland Street, Town of Islip, County of Suffolk, State of New York.

2025-0837 Matter of JM2 Architecture, DPC, Thomas Guarino, 2410 N. Ocean Avenue Suite 300, Farmingville, NY 11738, for a variance concerning safety requirements, including accessibility requirements. Involved is an existing building located at 35 Bagatelle Road, Town of Huntington, County of Suffolk, State of New York.

2025-0844 Matter of Double Check Builders Inc., Matthew Walker, 270 Ronkonkoma Avenue, Ronkonkoma, NY 11779, for a variance concerning safety requirements, including basement height requirement. Involved is an existing dwelling located at 92 N. Prospect Avenue, Village of Patchogue, County of Suffolk, State of New York.

2025-0845 Matter of Liam Donnelly, 10 Hazel Place, Floral Park, NY 11001, for a variance concerning safety requirements, including basement ceiling height requirement. Involved is an existing dwelling located at 10 Hazel Place, Village of Floral Park, County of Nassau, State of New York.

2025-0846 Matter of FJP Architecture, PLLC, Franco J. Perna, 98 Hayes Avenue, West Islip, NY 11795, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 105 Center Lane, Town of Hempstead, County of Nassau, State of New York.

2025-0848 Matter of Dayna Bush, 41 Whittier Avenue, Medford, NY 11763, for a variance concerning safety requirements, including basement height requirement. Involved is an existing dwelling located at 420 Dare Road, 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.

2025-0887 In the Matter of Jamie Moser, 5 Barker Lane, Scarsdale, NY 10583, for a variance concerning safety requirements, including dwelling wall as barrier. Involved is a one family dwelling located in the Village of Scarsdale, County of Westchester, State of New York.

2025-0888 In the Matter of William Moussa, 10 Dakin Avenue, Mount Kisco, NY 10549, for a variance concerning safety requirements, including habitable room requirements. Involved is a two-story building located in the Village of Mount Kisco, County of Westchester, State of New York.

2025-0889 In the Matter of 21 East Realty, LLC, 674 East Main Street, Middletown, NY 10940, for a variance concerning safety requirements, including fire separation. Involved is a one-story building located at 21 East Main Street, Village of Washingtonville, County of Orange, State of New York.

2025-0894 In the Matter of Beacon Hill Estates, Sheronda Robinson, 440 Mamaroneck Avenue, Suite 512, Harrison, NY 10528, for a variance concerning safety requirements, including fixture waste

drain. Involved is a multi family dwelling located at 79 Beacon Hill Drive, Village of Dobbs Ferry, County of Westchester, State of New York.

PUBLIC NOTICE

Department of State Uniform Code Variance/Appeal Petitions

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2025-0891 Matter of Dynamic Expediting Services, Roxanne Trela, 231 Islip Avenue, Islip, NY 11751, for a variance concerning safety requirements, including basement height requirements. Involved is an existing dwelling located at 16 Willoughby Street, Town of Islip, County of Suffolk, State of New York.

2025-0892 Matter of John R. Bracco Architect, John R. Bracco, 111 Railroad Avenue, Sayville, NY 11782, for a variance concerning safety requirements, including height requirements. Involved is an existing dwelling located at 1 Seajay, Town of Brookhaven, County of Suffolk, State of New York.

2025-0893 Matter of Carlos Guzman, 176 Park Blvd., Malverne, NY 11565, for a variance concerning safety requirements, including basement height requirements. Involved is an existing dwelling located at 1075 Candlewood Road, Town of Islip, County of Suffolk, State of New York.

2025-0895 Matter of Truthful Design, John Ren, 3 Grace Avenue Suite 100, Great Neck, NY 11021, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 18 Genevieve Place, Town of North Hempstead, County of Nassau, State of New York.

2025-0899 Matter of Nassau Expeditors Inc., Scott Tirone, 54 Willis Avenue, Mineola, NY 11501, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 106 Joseph Street, Town of North Hempstead, County of Nassau, State of New York.

2025-0901 Matter of HWL Engineering P.C., Wanlong He, 329 S. Oyster Bay Road, Plainview, NY 11803, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 4 Melview Court, Town of Huntington, County of Suffolk, State of New York.

COURT NOTICES

AMENDMENT OF RULE

Court of Appeals

At a session of the Court, held at Court of Appeals Hall in the City of Albany, on the 19th day of November, 2025.

HON. ROWAN D. WILSON, Chief
Judge presiding.

In the Matter of the Amendment of the
Rules of Practice of the Court of Appeals
(22 NYCRR Part 500).

Pursuant to section 52 of the Judiciary Law, it is hereby

ORDERED that the Rules of Practice of the Court of Appeals (22 NYCRR Part 500) are amended, effective December 10, 2025, or as soon thereafter as section 52 of the Judiciary Law is complied with by deleting the bracketed material and adding the underlined material to sections 500.11(j), (m) and 500.12(e); and by repealing section 500.23 in its entirety and promulgating a new section 500.23 to read as follows:

500.11 Alternative Procedure for Selected Appeals.

(j) Amicus curiae relief. The Attorney General of the State of New York may file, no later than 30 days after the filing date set for respondent's submission, an original and two copies of an amicus curiae submission without leave of the Court, with proof of service of one copy on each party. Any other proposed amicus curiae shall request amicus curiae relief pursuant to subsection 500.23[(a)(2)] of this Part.

(m) Word and page limits. Submissions pursuant to subsections (c)(2), (d) and (j) of this section and subsection 500.23 (a)[(2)](3) of this Part shall not exceed 7,000 words if prepared by a word-processing system and shall not exceed 20 pages if typewritten or handwritten. The person whose signature appears on a submission prepared by a word-processing system shall certify the total word count for the text of the submission. The certification may rely on the word count of the word-processing system used to prepare the submission. The word and page limits of this subsection apply to the body of the submission and are exclusive of the information required by subsection 500.1(f) of this Part and subsection (h) of this section.

500.12 Filing of Record Material and Briefs in Normal Course Appeals.

(e) Amicus curiae briefs. The Attorney General of the State of New York may file, no later than 30 days after the filing date set for appellant's reply brief or, in the case of cross-appeals, cross-appellant's reply brief, and in addition to the submission in digital format required by subsection (h) of this section, an original and nine copies of an amicus curiae brief without leave of the Court, with proof of service of three copies on each party. Any other proposed amicus curiae shall request amicus curiae relief pursuant to subsection 500.23[(a)(1)] of this Part.

500.23 Amicus Curiae Relief.

Any nonparty other than the Attorney General seeking to file an amicus brief on an appeal, certified question or motion for leave to appeal must obtain permission by motion. Information on the briefing status of appeals and certified questions and appropriate return dates for amicus motions is available on the Court's website. Potential amici seeking information are encouraged to contact the Clerk's Office by telephone during business hours.

(a) Motions for amicus curiae relief.

(1) Content.

(i) A motion for amicus curiae relief shall:

(a) demonstrate that the parties are not capable of a full and adequate presentation and that proposed amici could remedy this deficiency; proposed amici could identify law or arguments that might otherwise escape the Court's consideration; or the proposed brief otherwise would be of assistance to the Court;

(b) include a statement of the identity of proposed amici and proposed amici's interest in the matter; and

(c) include a statement indicating whether:

(A) a party's counsel contributed content to the brief or participated in the preparation of the brief in any other manner;

(B) a party or a party's counsel contributed money that was intended to fund preparation or submission of the brief; and

(C) a person or entity, other than proposed amici or proposed amici's counsel, contributed money that was intended to fund preparation or submission of the brief and, if so, identifying each such person or entity.

(ii) Amicus curiae relief will be denied where acceptance of the amicus curiae submission may cause the recusal or disqualification of one or more Judges of the Court.

(iii) In matters that involve statutory construction and legislative intent, proposed amici may address the statutory language and canons of statutory construction, including publicly available contemporaneous legislative history. Proposed amici shall not present the views of individual lawmaker(s) outside of the publicly available contemporaneous legislative history to address legislative intent.

(iv) Proposed amici shall not present issues not raised before the courts below.

(2) Amicus curiae relief on normal course appeals and normal course certified questions.

(i) In addition to the submission in digital format required by subsection 500.23(c) of this section, proposed amici shall file an original and one copy of their motion, accompanied by an original amicus brief, with proof of service of one copy of the motion and one copy of the brief on each other party. The proposed brief shall conform to the word and page limits set forth in subsection 500.13(c) of this Part and the requirements of section 500.1 of this Part.

(ii) Unless otherwise directed or permitted by the Court, the motion shall be served no later than 30 days after the filing date set for appellant's reply brief or, in the case of cross-appeals, cross-appellant's reply brief, and the motion shall be noticed for a return date that complies with section 500.21 of this Part.

(iii) If the motion is granted, in addition to the submission in digital format required by subsection 500.12(h) of this Part, one original and nine copies of the brief shall be filed, unless otherwise directed, with proof of service of three copies on each party, within the time set by the Court's order.

(3) Amicus curiae relief on appeals and certified questions selected for review by the alternative procedure.

(i) In addition to the submission in digital format required by subsection 500.23(c) of this section, proposed amici shall file an original and one copy of their motion, accompanied by an original and one copy of the proposed submission, with proof of service of one copy on each other party. The proposed submission shall conform to the

word and page limits set forth in subsection 500.11(m) of this Part and the requirements of section 500.1 of this Part.

(ii) Unless otherwise directed or permitted by the Court, the motion shall be served no later than 30 days after the filing date set for respondent's submission and the motion shall be noticed for a return date that complies with section 500.21 of this Part.

(iii) If the motion is granted, in addition to the submission in digital format required by subsection 500.11(k) of this Part, an original and two copies of the submission shall be filed, unless otherwise directed, with proof of service of one copy on each other party, within the time set by the Court's order.

(4) *Amicus curiae* relief on motions for permission to appeal in civil cases.

(i) In addition to the submission in digital format required by subsection 500.23(c) of this section, proposed amici shall file an original and one copy of their papers, accompanied by an original *amicus* brief, with proof of service of the motion and one copy of the brief on each other party.

(ii) Unless otherwise directed or permitted by the Court, the motion shall be served no later than 15 days after the return date of the motion for permission to appeal to which it relates and shall be noticed for a return date that complies with section 500.21 of this Part.

(iii) The granting of a motion to appear *amicus curiae* on a motion for permission to appeal does not authorize the proposed amici to appear *amicus curiae* on the subsequent appeal. A new motion for *amicus curiae* relief on the appeal must be made pursuant to subsection (a)(1) or (2) of this section.

(5) *Opposing papers.* In addition to the submission in digital format required by subsection 500.23(c) of this section, respondent may file an original and one copy of papers in opposition to the motion, with proof of service of one copy on each other party.

(b) *Amicus curiae* filings by the Attorney General.

(1) *Amicus curiae* relief on motions for permission to appeal in civil cases. In addition to the submission in digital format required by subsection 500.23(c) of this section, the Attorney General shall file an original and one copy of the submission with proof of service of one copy on each other party. The submission shall be filed without leave of the Court no later than 15 days after the return date of the motion for permission to appeal.

(2) *Amicus curiae* relief on normal course appeals and normal course certified questions. See subsections 500.12(e) and 500.13(c) of this Part and section 500.1 of this Part.

(3) *Amicus curiae* relief on appeals and certified questions selected for review by the alternative procedure. See subsections 500.11(j) and 500.11(m) of this Part.

(c) *Companion submission in digital format.* Unless a request to be relieved of the digital filing requirement is submitted pursuant to subsection 500.2(e) of this Part, each party shall submit in digital format their motion or opposition papers. Proposed amici shall also submit in digital format the proposed *amicus* brief or submission. The motion, proposed *amicus* brief or submission, and opposition papers submitted in digital format shall be identical to the filed original printed motion or opposition papers, except the digital filing need not contain an original signature. All material submitted under this section shall comply with the technical specifications and instructions for submission available from the Clerk's Office. The motion, proposed *amicus* brief or submission, and opposition papers in digital format shall be submitted within seven days of the return date of the motion.

AMENDMENT OF RULE

Uniform Rules for Courts Exercising Criminal Jurisdiction

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby rescind Administrative Order 163/25 and amend Section 200.9-a of the Uniform Rules for Courts Exercising Criminal Jurisdiction (22 NYCRR § 200.9-a), effective January 5, 2026, to read as follows:

Rule 200.9-a. *Electronic Appearances*

1. *Definitions.* For the purposes of this part:

a. *In-person proceeding* shall mean a proceeding where the judge, all parties, counsel, and participants are physically present in a physical courtroom.

b. *Hybrid proceeding* shall mean a proceeding where an electronic appearance is utilized by one or more participants but the judge or at least one party or counsel is physically present in a physical courtroom.

c. *Virtual proceeding* shall mean a proceeding where the judge and all parties, counsel, and participants appear by means of an electronic appearance in a virtual courtroom.

d. Participant shall include, but not be limited to, any witness; treatment provider, administrator, staff, or counselor; or any other individual who may be called upon by the court or a party to provide the court with testimony or other information relevant to a proceeding.

2. *Consent and Objections:*

a. Unless a court orders the use of an electronic appearance, all parties, counsel, and participants are to be physically present before the court in the physical courtroom for an appearance.

b. In accordance with CPL 182.20(1)(a) and (b), whenever the court considers, or either party requests, that an evidentiary hearing, plea or sentencing proceeding, or arraignment be conducted by means of a virtual or hybrid proceeding, the court shall inquire as to each party's consent to proceeding in the proposed manner prior to scheduling such a proceeding. The court shall confirm such consent on the record at the commencement of the virtual or hybrid proceeding. The determination of whether to consent to an electronic appearance for a defendant, who is represented by counsel shall be made by the defendant after an opportunity to consult with counsel rather than defense counsel and may be evidenced either by a statement by defense counsel, after determining the defendant's decision about whether or not to consent to an electronic court appearance, or a statement by the defendant. No negative inference shall be drawn nor negative consequence imposed based upon the determination to withhold consent to such an electronic appearance.

c. In accordance with CPL 182.20(1)(c), at all other proceedings, including calendar calls, conferences, and arguments, but not including grand jury proceedings and trials, where any party is anticipated to appear or appears by means of an electronic appearance, the court shall ensure all parties are given an opportunity to raise any objections and argue why there is good cause not to permit an electronic appearance (i) at the time such a proceeding is scheduled, if done so on the record in open court, and (ii) at the start of such a proceeding. The court shall rule on any objections before ordering or continuing with the electronic appearance. No negative inference should be drawn nor negative consequence imposed based upon the determination to object to such an electronic appearance.

3. *Public Access:*

a. At the time that any appearance subsequent to an initial arraignment is scheduled, the court shall note on the record and the calendar shall reflect whether the future appearance will be virtual. Whenever such a designation is altered off-calendar, especially where an appearance previously scheduled to be in-person is modified to be virtual, the court shall promptly update the court calendar appropriately. Except where there is good cause, changes to the format of an appearance should not be permitted less than two business-days before such appearance is scheduled.

b. For all hybrid proceedings, all electronic appearances shall be projected in the physical courtroom in which the in-person portion of the proceeding is taking place in such a manner as to provide a reasonable opportunity for members of the public to view and hear the participants appearing electronically.

c. For any virtual proceeding, the clerk of the court shall ensure that, upon any request received at least one business day prior to a virtual appearance, such proceeding shall be viewable in a courtroom or other designated public area or public areas of a courthouse for members of the public. For any request received the same day, including for an arraignment, the clerk shall notify the court and the parties that such a request has been made and make all reasonable efforts to provide public access.

4. *Arraignments:* Any court, including a centralized arraignment

part created in accordance with Judiciary Law § 212(1)(w), utilizing electronic appearances for arraignments on desk appearance tickets pursuant to CPL 182.20(1)(b)(ii) or for any arraignment pursuant to CPL 182.20(1)(b)(iv), must submit a plan to the appropriate administrative judge overseeing such court for approval. Such plans must provide for all defendants who, after consultation with their counsel, do not consent to the use of electronic appearances, to be arraigned while physically present before a judge without undue delay and without prejudice. Such a plan must include ensuring that there is an on-call judge and a back-up judge who will be available to preside over such arraignments in person at a designated location within a reasonable time from when a defendant is ready to be arraigned if they are being held in custody by law enforcement pending such arraignment. Prior to approval, a copy of such a plan shall be provided to the Office of Indigent Legal Services.

5. The electronic audio-visual recording of any criminal proceeding in the local and superior criminal courts, including those that are fully virtual or hybrid, remains prohibited, except as authorized by the Chief Administrative Judge or their designee in accordance with Part 29 of the Rules of the Chief Judge and Part 131 of the Rules of the Chief Administrative Judge.

6. The rules and regulations promulgated under Article 182 of the Criminal Procedure Law do not apply to the audio-visual coverage of the physical courtroom wherein an in-person or hybrid judicial proceeding takes place. A court's determination to permit such coverage through an audio-visual transmission is governed by Part 29 of the Rules of the Chief Judge and Part 131 of the Rules of the Chief Administrative Judge.

AMENDMENT OF RULE

Uniform Rules for the Family Court

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend Section 205.43 of the Uniform Rules for the Family Court, effective January 5, 2026, to read as follows:

Section 205.43 Hearings to Determine Willful Non-payment of Child Support

(a) A petition that alleges a willful violation or seeks enforcement of an order of support shall be scheduled as soon as possible for a first appearance date in Family Court but in no event more than [30]60 days of the filing of the violation or enforcement petition.

(b) After service is made, the judge or support magistrate must commence a hearing to determine a willful violation within [30]60 days of the date noticed in the summons. The hearing must be concluded within [60]90 days of its commencement.

(c) Neither party shall be permitted [more than one adjournment] successive adjournments to secure counsel, except for good cause shown.

(d) On the scheduled hearing date on the issue of willfulness, the hearing may not be adjourned except for the following reasons:

(1) actual engagement of counsel pursuant to Part 125 of the Rules of the Chief Administrator;

(2) illness of a party, attorney or support magistrate; [or]

(3) consent of the parties; or

(4) other good cause shown.

No adjournment shall be in excess of [14]30 days.

(e) If a willfulness hearing has commenced and must be continued, the adjourned date shall be within [seven]14 court days.

(f) Upon the conclusion of a willfulness hearing in a case heard by a support magistrate, the support magistrate shall issue written findings of fact within [five]14 court days.

(g) The time deadlines set forth in subdivisions (a) through (f) of this section may be extended by the court for good cause shown.

(h) In a case heard by a support magistrate, if the support magistrate makes a finding of willfulness, the written findings shall include the following:

(1) the specific facts upon which the finding of willfulness is based;

(2) the specific amount of arrears established and a money judgment for such amount. An award of attorney's fees may be issued with the findings or at a later date after the case is heard by the Family Court judge;

(3) a recommendation regarding the sanctions that should be imposed, including a recommendation whether the sanction of incarceration is recommended;

(4) a recommendation, as appropriate, regarding a specific dollar amount to be paid or a specific plan to repay the arrears.

[(h)](i) In a case heard by a support magistrate, if counsel is assigned, the assignment shall continue through the confirmation proceeding before the Family Court judge without further order of the court.

[(i)](j) In a case heard by a support magistrate, a Family Court judge may confirm the findings of the support magistrate by adopting his or her findings and recommendations in whole or in part. Alternatively, the Family Court judge may modify or refuse to confirm the findings and recommendations and may refer the matter back to the support magistrate for further proceedings. The court may, if necessary, conduct an evidentiary hearing.

