
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 June 21, 2026
- the 45-day period expires on June 6, 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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Telephone: (518) 474-6957

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

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

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

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

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

Department of Agriculture and Markets

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Control of the European Cherry Fruit Fly

I.D. No. AAM-16-26-00004-P

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

Proposed Action: Amendment of section 128.2 of Title 1 NYCRR.

Statutory authority: Agriculture and Markets Law, sections 18, 163 and 167

Subject: Control of the European Cherry Fruit Fly.

Purpose: To expand the quarantine area for the European Cherry Fruit Fly to include Livingston County in its entirety.

Text of proposed rule: Section 128.2 of 1 NYCRR is amended to read as follows:

The map appearing in section 128.2 is replaced by the following map:
Please see the Appendix at the end of this issue to view the New York State European Cherry Fruit Fly Quarantine Zone 2026 map.

Paragraphs (10) and (11) of subdivision 128.2(a) are amended to read as follows:

(10) Oswego County, in its entirety; [and]

(11) Onondaga County, in its entirety; *and*[.]

Paragraph (12) of subdivision 128.2(a) is added to read as follows:

(12) *Livingston County, in its entirety.*

Subdivision 128.2(b) is repealed, and subdivision 128.2(c) is renumbered to subdivision 128.2(b).

Text of proposed rule and any required statements and analyses may be obtained from: Christopher Logue, Director, Plant Industry, Department of Agriculture and Markets, 10B Airline Drive, Albany NY 12235, (518) 457-2087, email: plants@agriculture.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority:

Section 18 of the Agriculture and Markets Law (AML) provides, in part, that the Commissioner of Agriculture for the New York State Department of Agriculture and Markets (Commissioner) may enact, amend, and repeal necessary rules which shall provide generally for the exercise of the powers and performance of the duties of the Department of Agriculture and Markets (Department) as prescribed in the AML and the laws of the State, and for the enforcement of their provisions and the provisions of the rules that have been enacted to implement these laws.

AML section 164 provides, in part, that the Commissioner shall take such action as deemed necessary to control or eradicate any injurious insects, noxious weeds, or plant diseases existing within the State.

AML section 167 provides, in part, that the Commissioner is authorized to make, issue, promulgate and enforce such order, by way of quarantines or otherwise, as deemed necessary or fitting to carry out the purposes of AML article 14. AML section 167 also provides that the Commissioner may adopt and promulgate such rules and regulations to supplement and give full effect to the provisions of article 14.

2. Legislative objectives:

These proposed revised regulations are consistent with the public policy objectives the Legislature sought to advance when enacting the statutory authority, namely, preventing the spread within the State of an injurious insect, such as the European Cherry Fruit Fly (ECFF).

3. Needs and benefits:

ECFF (*Rhagoletis cerasi*), native to Europe, is a nonindigenous insect to the United States. It was first detected in Ontario, Canada in 2015 and subsequently found in Niagara County in 2017. ECFF infests both sweet and tart cherries, with sweet cherries being its preferred host material. ECFF also infests honeysuckle (*Lonicera* sp.), an invasive plant found throughout New York State. Honeysuckle can serve as a reservoir for ECFF and contributes to its unchecked development.

As the larvae develop, ECFF damages the fruit pulp. Growers cannot market infested cherries as fresh fruit, which commands at least six times the price of processed cherries if accepted. Infested cherries, generally sweet cherries, intended for processing also have a high likelihood of being rejected since processors desire primarily tart cherries.

ECFF has been detected in portions of State parks and public lands. In 2019, over 1,500 ECFF were found in traps in parks and public lands in Niagara, Erie and Orleans counties. In 2020, ECFF was found in 4 cherry orchards and 19 separate locations, all within the current quarantine area. The 2023 survey conducted by the United States Department of Agriculture (USDA) confirmed the presence of ECFF on honeysuckle in Genesee and Cayuga Counties and that it had expanded its range in Ontario County. The 2024 survey conducted by the USDA found evidence of ECFF infestation in Oswego County. During the course of the 2025 survey season evidence of ECFF infestation was discovered in Livingston County.

In addition to the USDA surveys, the Department has collected information and data from cherry producers, markets, and local assistance organizations such as the Soil and Water Conservation District and Cornell Cooperative Extension. This information was used to identify cherry growers and production locations and assess the prevalence of honeysuckle (*Lonicera* sp) host. Based on this information and past experience with ECFF it is prudent to add Livingston County to the ECFF quarantine ahead of the 2026 growing season. Further, the Department's assessment of the survey data and progression of the ECFF infestation in the State clearly shows that ECFF is increasing its range incrementally each year to the

south and east. Left unchecked, ECFF has the potential to infest 100% of a cherry crop, rendering the cherries unmarketable.

This regulation is being amended to address the recent findings of new ECFF detections by expanding the quarantine area to include the entirety of Livingston County. Updates to the quarantine boundary are necessary to maintain confidence in the safety of New York's cherry industry both to access markets in Pennsylvania and other states, and to protect the west coast cherry industry that receives cherries sourced from New York State from trade barriers that could preclude their access to foreign markets.

The proposed regulation is necessary to protect the general welfare. The effective control of ECFF in New York generally, and specifically within the quarantined areas, is critical for the protection of New York's \$4.5-million cherry industry, which includes growers with 450 acres of cherry production. The proposed regulation would help ensure that control measures are undertaken in a timely manner in the quarantine area, and that ECFF will not spread beyond those areas via the movement of infested fruit, or through other host material during the upcoming growing season. The further expansion of ECFF would result in a substantial loss of income to the industry and the New York State economy, generally.

This regulation is also being amended to repeal the reference to federally recognized Native American reservations within the quarantine area, which is unnecessary as this regulation does not extend to federally recognized Native American reservations. The removal of the reference would conform the description of the quarantine areas in Part 182 with other quarantines in force, eliminating possible ambiguity resulting from language inconsistency among the Department's quarantine area descriptions.

4. Costs:

(a) Costs to regulated parties for the implementation of and continuing compliance with the rule: There is one commercial cherry producer in Livingston County with a total production area of 609 acres and 171 trees. In addition, there are 8 farm markets who carry regulated articles and 8 nursery grower/dealer establishments who carry regulated plants on a regular basis. The proposed regulation maintains the ability to freely move regulated articles within the quarantine area and allows regulated articles to be moved from the quarantine area if growers or handlers have a limited permit, certificate of inspection issued by the Commissioner, or have entered into a compliance agreement allowing for the self-issuance of limited permits and certificates of inspection. It is anticipated that entering into a compliance agreement would require a maximum of three hours to understand, sign, and comply with the requirements of the agreement. Requiring the one commercial grower to comply with this quarantine would cost \$300.00, based on \$100.00 per hour. There is no direct cost incurred by entering into a compliance agreement, other than time as calculated above. If this single grower meets these requirements, they would be able to move regulated articles anywhere within New York, exclusive of Columbia and Ulster counties.

(b) Costs to the agency, the State and local governments for the implementation and continuation of the rule: Department horticultural inspectors would be working with growers on the signing and enforcement of compliance agreements, limited permits and certificates of inspection. The Department does not anticipate any additional costs to the agency through the expansion of the quarantine area, other than those costs already incurred.

(c) The information, including the sources of such information and the methodology, upon which the costs analysis is based: The costs analysis set forth above is based upon Department's practices and observations of the industry.

5. Local government mandates:

There are no additional programs, services, duties or responsibilities imposed by this proposed rule upon any county, city, town, village, school district, fire district or any other special district.

6. Paperwork:

Growers would be issued compliance agreements, which would authorize the grower to self-issue limited permits and certificates of inspection to move regulated articles. Other than the issuance of documents, the proposed rule does not require additional paperwork.

7. Duplication:

The USDA will be issuing a revised Federal Order that details a systems approach, and which mirrors the proposed new quarantine boundaries.

8. Alternatives:

Approaches for minimizing adverse impact were considered in proposing this rule. The Department considered the alternative of keeping the quarantine boundaries without change, based on the limited number of commercial cherry producers in Livingston County. This option was rejected because failure to adjust the quarantine boundaries could result in the USDA establishing a quarantine throughout New York State that would prohibit fresh cherries from New York being sold outside the State. Further, expanding the quarantine area is necessary to maintain confidence in the safety of New York's cherry industry both to access markets in

Pennsylvania and other states, and to protect the west coast cherry industry that receives cherries sourced from New York State from trade barriers that could preclude their access to foreign markets. Growers within the current quarantine area will now be able to ship regulated articles within an additional county without a compliance agreement or limited permit, which may also reduce their regulatory burden.

The alternative of expanding the quarantine to additional counties was also considered and rejected due to the absence of detections of the ECFF in those counties and, accordingly, the absence of a need to impose any additional burden on these growers.

Department staff have discussed the quarantine expansion with the impacted grower to ensure that they are aware of the impacts on their business.

Given all of the facts and circumstances, the proposed regulations minimize adverse impacts as much as possible.

9. Federal standards:

The USDA will be issuing a revised Federal Order that parallels the proposed regulation.

10. Compliance schedule:

This proposed rule would take effect upon publication of the Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

1. Effect of rule:

This regulation is being amended to address the recent findings of new European Cherry Fruit Fly (ECFF) detections by expanding the quarantine area to include Livingston County in its entirety. There is one commercial cherry producer in Livingston County that operates two production blocks totaling 609 acres and 171 trees. There are also eight farm markets that handle regulated articles and eight nursery grower and dealer establishments that stock and sell regulated ECFF host plants. No local governments are affected by the proposed rule.

This regulation is also being amended to repeal the reference to federally recognized Native American reservations within the quarantine area, which is unnecessary as this regulation does not extend to federally recognized Native American reservations. The removal of the reference would conform the description of the quarantine areas in Part 182 with other quarantines currently in force, eliminating possible ambiguity resulting from language inconsistency among the Department of Agriculture and Markets' (Department) quarantine area descriptions.

2. Compliance requirements:

The proposed regulation maintains the ability to freely move regulated articles within the quarantine area and allows regulated articles to be moved from the quarantine area if growers or handlers have a limited permit, certificate of inspection issued by the Commissioner of Agriculture for the New York State Department of Agriculture and Markets (Commissioner), or have entered into a compliance agreement. Growers would be able to self-issue limited permits and certificates of inspection upon complying with the requirements of the compliance agreement. If growers or handlers meet these requirements, they would be able to move regulated articles anywhere within New York, exclusive of Columbia and Ulster counties. It is not expected that the number of required compliance agreements will significantly increase based on the limited number of commercial cherry producers in Livingston County. Other than the issuance of these documents, the proposed rule does not require any reporting or recordkeeping requirements.

3. Professional services:

It is not anticipated that professional services would be required to comply with the proposed regulations. Department staff have discussed and explained the proposed regulation and compliance agreements with the one commercial producer in Livingston County and will provide technical assistance as needed free of charge.

4. Compliance costs:

(a) Initial capital costs that will be incurred by a regulated business or industry or local government in order to comply with the rule: It is anticipated that entering into a compliance agreement would require a maximum of three hours to understand, sign, and comply with the requirements of the agreement. Requiring the additional impacted grower to enter into a compliance agreement would cost \$300.00, based on \$100.00 per hour. There is no direct cost incurred by entering into a compliance agreement, other than time as calculated above.

(b) Annual cost for continuing compliance with the rule: It is anticipated that there would be no such costs.

5. Economic and technological feasibility:

The proposed rule is economically and technologically feasible since the Department intends to provide regulated parties with any necessary paperwork required for compliance and does not compel regulated parties to utilize any specialized technology. Regulated parties would incur no direct costs in complying with this proposal, and only one commercial cherry producer would be affected.

6. Minimizing adverse impact:

The Department considered approaches to minimize adverse impact on small businesses in the development of this rule. The Department considered the alternative of keeping the quarantine boundaries without change, based on the low number of commercial cherry producers in Livingston County. This option was rejected since failure to adjust the quarantine boundaries could result in the United States Department of Agriculture (USDA) establishing a quarantine throughout New York State that would prohibit fresh cherries from New York being sold outside the State. Further, expanding the quarantine area is necessary to maintain confidence in the safety of New York's cherry industry both to access markets in Pennsylvania and other states and to protect the west coast cherry industry that receives cherries sourced from New York State from trade barriers that could preclude their access to foreign markets. Growers within the current quarantine area will now be able to ship regulated articles to the additional county without a compliance agreement or limited permit, which may also reduce their regulatory burden.

The alternative of expanding the quarantine to additional counties was also considered and rejected due to the absence of detections of the ECFF in those counties and, accordingly, the absence of a need to impose any additional burden on these growers.

Prior to proposing the quarantine expansion, Department staff met with the one known commercial cherry grower in Livingston County to explain and discuss the new quarantine and to review the associated compliance agreement requirements.

Given all of the facts and circumstances, the proposed regulations minimize adverse impact on small businesses as much as possible.

7. Small business and local government participation:

For both existing and proposed quarantine areas, Department staff work diligently to identify growers and map regulated fields, and to conduct outreach with growers and associated businesses, including farm markets, nurseries, and produce auctions. Prior to proposing new or amended regulations, the Department contacts the local Cornell Cooperative Extension, Soil and Water Conservation District, Farm Service Agency, and Natural Resources Conservation Service office for help identifying commercial entities that could be impacted. Before the start of the growing season, Department staff then meet with each identified entity to explain and discuss the new regulations and review any associated compliance agreement requirements. In relation to the current proposal, Department staff met and discussed the quarantine requirements with the one known commercial cherry grower in Livingston County.

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

Violations of the proposed rule would be subject to the already existing penalties and enforcement established in State laws, rules, and regulations.

9. Initial review of the rule:

As a rule which requires a Regulatory Flexibility Analysis, Rural Area Flexibility Analysis or Job Impact Statement, the initial review of this proposed rule will occur in 2028.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

This regulation is being amended to address the recent finding of a new European Cherry Fruit Fly (ECFF) detection by expanding the quarantine area to include Livingston County in its entirety. There is one known commercial cherry grower located within the borders of Livingston County. This grower has two commercial production blocks with a total of 609 acres under production. There are 171 cherry trees in these two blocks. There are eight nursery grower or dealer establishments in the county that stock and sell regulated plant material. There are also eight farm markets or roadside stands that regularly stock and sell regulated articles. All impacted establishments are in rural areas as defined by section 481(7) of the Executive Law.

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

The proposed regulation maintains the ability to freely move regulated articles within the quarantine area and allows regulated articles to be moved from the quarantine area if growers or handlers have a limited permit, certificate of inspection issued by the Commissioner of Agriculture for the New York State Department of Agriculture and Markets (Commissioner), or have entered into a compliance agreement. Growers would be able to self-issue limited permits and certificates of inspection upon complying with the requirements of the compliance agreement. If growers or handlers meet these requirements, they would be able to move regulated articles anywhere within New York, exclusive of Columbia and Ulster counties. It is not expected that the number of required compliance agreements will significantly increase based on the limited number of commercial cherry producers in Livingston County. Other than the issuance of these documents, the proposed rule does not require any reporting or recordkeeping requirements, nor any professional services.

3. Costs:

Costs to regulated parties for the implementation of and continuing

compliance with the rule: It is anticipated that entering into a compliance agreement would require a maximum of three hours to understand, sign, and comply with the requirements of the agreement. Requiring the additional impacted grower to enter into a compliance agreement would cost 300.00, based on \$100.00 per hour. There is no direct cost incurred by entering into a compliance agreement, other than time as calculated above.

4. Minimizing adverse impact:

In conformance with State Administrative Procedure Act section 202-bb(2), the Department of Agriculture and Markets (Department) considered approaches for minimizing adverse impact. The Department considered the alternative of keeping the quarantine boundaries without change, based on the limited number of commercial cherry producers in Livingston County. This option was rejected since failure to adjust the quarantine boundaries could result in the United States Department of Agriculture (USDA) establishing a quarantine throughout New York State that would prohibit fresh cherries from New York being sold outside the State. Further, expanding the quarantine area is necessary to maintain confidence in the safety of New York's cherry industry both to access markets in Pennsylvania and other states, and to protect the west coast cherry industry that receives cherries sourced from New York State from trade barriers that could preclude their access to foreign markets. Growers within the current quarantine area will now be able to ship regulated articles to the additional county without a compliance agreement or limited permit, which may also reduce their regulatory burden.

The alternative of expanding the quarantine to additional counties was also considered and rejected due to the absence of detections of the ECFF in those counties and, accordingly, the absence of a need to impose any additional burden on these growers.

Department staff have discussed the proposed changes with the newly affected grower.

Given all of the facts and circumstances, the proposed regulations minimize adverse impact on rural areas as much as possible.

5. Rural area participation:

For both existing and proposed quarantine areas, Department staff work diligently to identify growers and map regulated fields, and to conduct outreach with growers and associated businesses, including farm markets, nurseries, and produce auctions. Prior to proposing new or amended regulations, the Department contacts the local Cornell Cooperative Extension, Soil and Water Conservation District, Farm Service Agency, and Natural Resources Conservation Service office for help identifying commercial entities that could be impacted. Before the start of the growing season, Department staff then meet with each identified entity to explain and discuss the new regulations and review any associated compliance agreement requirements. In relation to the current proposal, Department staff met and discussed the quarantine requirements with the one known commercial cherry grower in Livingston County.

6. Initial review of the rule:

As a rule which requires a Regulatory Flexibility Analysis, Rural Area Flexibility Analysis or Job Impact Statement, the initial review of this proposed rule will occur in 2028.

Job Impact Statement

1. Nature of impact:

It is not anticipated that the proposed rule will have a negative impact on jobs and employment opportunities in New York since regulated parties would incur no direct costs in complying with this proposal, and only one additional grower is impacted by the addition of Livingston County to the quarantine area. The proposed regulation maintains the ability to freely move regulated articles within the quarantine area and allows regulated articles to be moved from the quarantine area if growers or handlers have a limited permit, certificate of inspection issued by the Commissioner of Agriculture for the New York State Department of Agriculture and Markets (Commissioner), or have entered into a compliance agreement allowing for the self-issuance of limited permits and certificates of inspection. It is anticipated that entering into a compliance agreement would require a maximum of three hours to understand, sign, and comply with the requirements of the agreement. Requiring the one commercial grower to comply with this quarantine would cost \$300.00, based on \$100.00 per hour. There is no direct cost incurred by entering into a compliance agreement, other than time as calculated above.

2. Categories and numbers affected:

There is a total of one newly impacted cherry grower located in the expanded quarantine area. This one additional impacted grower maintains two cherry production blocks encompassing 609 acres and a total of 171 trees. In addition, there are eight nursery grower or dealer establishments in the county that stock and sell regulated plant material, and eight farm markets or roadside stands that stock and sell regulated articles.

3. Regions of adverse impact:

The proposed regulation adds Livingston County in its entirety to the quarantine area. However, it is not anticipated that this area will be adversely impacted since regulated parties would incur no direct costs in complying with this proposal.

4. Minimizing adverse impact:

Approaches for minimizing adverse economic impact on jobs and employment opportunities were considered. The Department of Agriculture and Markets (Department) considered the alternative of keeping the quarantine boundaries without change, based on the low number of commercial cherry producers in Livingston County. This option was rejected since failure to adjust the quarantine boundaries could result in the United States Department of Agriculture (USDA) establishing a quarantine throughout New York State that would prohibit fresh cherries from New York being sold outside the State. Further, expanding the quarantine area is necessary to maintain confidence in the safety of New York's cherry industry both to access markets in Pennsylvania and other states, and to protect the west coast cherry industry that receives cherries sourced from New York State from trade barriers that could then preclude their access to foreign markets.

The expansion of the quarantine area to Livingston County would permit growers within the current quarantine to ship regulated articles to the additional county without a compliance agreement or limited permit, which may also reduce their regulatory burden.

The alternative of expanding the quarantine to additional counties was also considered and rejected due to the absence of detections of the European Cherry Fruit Fly in those counties and, accordingly, the absence of a need to impose any additional burden on these growers.

For both existing and proposed quarantine areas, Department staff work diligently to identify growers and map regulated fields, and to conduct outreach with growers and associated businesses, including farm markets, nurseries, and produce auctions. Prior to proposing new or amended regulations, the Department contacts the local Cornell Cooperative Extension, Soil and Water Conservation District, Farm Service Agency, and Natural Resources Conservation Service office for help identifying commercial entities that could be impacted. Before the start of the growing season, Department staff then meet with each identified entity to explain and discuss the new regulations and review any associated compliance agreement requirements. In relation to the current proposal, Department staff met and discussed the quarantine requirements with the one known commercial cherry grower in Livingston County.

Given all of the facts and circumstances, the proposed regulations minimize adverse economic impacts as much as possible.

§ 117.2 Cannabis Showcase Event Permit Eligibility and Application Process.

This section establishes the requirements to participate in a cannabis showcase event and the permitted locations. This section also includes information that must be provided for consideration and approval of a permit. Additional provisions include duration limitations and the feasibility of locations that events can be held.

§ 117.3 Cannabis Showcase Event Operations.

This section describes the authorized activities that may occur at a cannabis showcase event. This section also addresses distancing requirements, restricted locations and incident reporting. Additionally, this section describes certain prohibited activities, including prohibiting the use of federal Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Card (EBT) payment or Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) EBT payment as forms of payment.

§ 117.4 Cannabis Showcase Event Permit Limitations.

This section defines the types of events that do not require a cannabis showcase event permit, e.g., events for the purpose of providing education and that do not engage in the direct or indirect sales or giveaways of cannabis and cannabis products. Also included are requirements for signage prohibiting on-site consumption of cannabis and cannabis products. Events for the purpose of providing education and do not engage in the direct or indirect sales or giveaways of cannabis and cannabis products, do not require a permit.

§ 117.5 Cannabis Showcase Event Vendors.

This section describes requirements for any ancillary vendors who are not engaged in direct or indirect cannabis retail sales at the event, such as for vendors to serve food or to perform educational demonstrations, exhibitions, musical acts, musicians, or disc jockeys at a cannabis showcase event. This section further requires that vendors obtain necessary permits to operate as needed.

§ 117.6 Severability.

This section sets forth that if any provisions should become invalid, that the remainder of the document will remain valid and actionable.

Final rule as compared with last published rule: Nonsubstantial changes were made in section 117.3(a)(4), (5), (b)(1), (2), (h)(2) and (m).

Text of rule and any required statements and analyses may be obtained from: David Nardolillo, Office of Cannabis Management, 1220 Washington Avenue, Albany, NY 12226, (888) 626-5151, email: regulations@ocm.ny.gov

Revised Regulatory Impact Statement

A Regulatory Impact Statement is not being submitted with these rules because changes made to the last published rule do not necessitate any changes to the previously published Regulatory Impact Statement.

Revised Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not being submitted with these rules because changes made to the last published rule do not necessitate any changes to the previously published Regulatory Flexibility Analysis.

Revised Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not being submitted with these rules because changes made to the last published rule do not necessitate any changes to the previously published Rural Area Flexibility Analysis.

Revised Job Impact Statement

A Job Impact Statement is not being submitted with these rules because changes made to the last published rule do not necessitate any changes to the previously published Job Impact Statement.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2029, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The Office of Cannabis Management ("OCM") received over 100 sets of comments from various cannabis licensees and associations of licensees, members of the public, and municipal officers. A summary of comments relevant to the rulemaking are summarized below. A full assessment of public comment is available here: <https://cannabis.ny.gov/assessment-public-comment>

General Topics

COMMENT: Most comments supported the regulations, believing the events will be an invaluable platform to showcase products, engage with local communities, and promote responsible cannabis use. Most commenters appreciated the regulation's safeguards, including restricting admission to individuals 21 and older.

RESPONSE: OCM appreciates the supportive comments.

COMMENT: Several commenters expressed concern that the showcase event permit program could be undermined by unlicensed illicit operators.

Office of Cannabis Management

NOTICE OF ADOPTION

Cannabis Showcase Events

I.D. No. OCM-38-25-00008-A

Filing No. 303

Filing Date: 2026-04-03

Effective Date: 2026-04-22

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

Action taken: Addition of Part 117 to Title 9 NYCRR.

Statutory authority: Cannabis Law, sections 10, 13 and 130-a

Subject: Cannabis Showcase Events.

Purpose: Adds new section setting forth standards for Cannabis Showcase Events.

Substance of final rule: Pursuant to the authority vested in the Cannabis Control Board by Section 130-a of the Cannabis Law, a new Part 117 is added to Chapter II of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, to be effective upon publication of a Notice of Adoption in the New York State Register. Below is a summary of the express terms of the proposed rule. The full text of the proposed amendments may be found at: <https://cannabis.ny.gov/marihuana-regulation-and-taxation-act-mrta>

§ 117.1 Definitions.

This section defines key terms used in Part 117, including "cannabis showcase event," "cannabis showcase event permit", and "showcase," which align with the requirements of Section 130-a of the Cannabis Law authorizing cannabis showcase event permits; and other parties, such as "adult-use retailer," "authorized licensee," "employee in charge of showcasing," "lead contact," and "employee in charge of sales," that define who may receive a permit, who may participate in permitted events, and the responsibilities and duties of those parties.

One expressed concern that events could divert business from retail dispensaries.

RESPONSE: OCM continues to conduct enforcement actions against illicit operators. To file a complaint or report illicit cannabis activity, please visit OCM's complaint website page: <https://cannabis.ny.gov/report-an-incident>. Regarding impacts upon dispensaries, OCM notes that retail dispensaries are the only entities allowed to apply for permits and multiple dispensaries may apply for permits to participate in a single event.

COMMENT: Some commenters opposed showcase events because they would increase access to minors and expressed concern that farmers' markets and public markets were inappropriate locations due to the presence of families and minor children.

RESPONSE: No change will be made. Cannabis showcase events must take steps to ensure that the events are not accessed by minors, and applicants must submit these steps as part of its security plan within the application. While farmers' markets and public markets are permissible locations for showcase events, applicants must receive approval of the showcase event from the manager or of the market, and such approval is within the sole discretion of those markets.

Eligible Participants

COMMENT: Most comments argued that microbusiness licensees with retail sales authority be included as eligible applicants for cannabis showcase event permits, with one commenter requesting that showcase events be limited to only microbusinesses.

RESPONSE: No change will be made. The omission of "microbusiness" from the definition of the "adult-use retailer" allowed to apply for a showcase permit is the result of statutory limitations on microbusinesses. Under Cannabis Law § 73(1), a microbusiness can only sell its own products at retail. However, the showcase event statute requires the retail permittee to sell the products of the processor and cultivator that are required partners in the event (see Cannabis Law § 130-a(3)) which microbusinesses cannot do under Cannabis Law § 73(1). The Cannabis Control Board cannot use regulations to change these statutory limitations, and Cannabis Law § 73(1) would need to be amended through the legislative process to allow microbusinesses to apply for a cannabis showcase event permit.

Cannabis Law § 130-a also prevents the Board from limiting permit holders to microbusinesses because the statute explicitly grants other licensees the ability to participate in the showcase events.

Microbusiness may still participate in a cannabis showcase event as an "authorized licensee"—a licensed processor or cultivator (assuming the microbusiness has received processing authority under its license). "Pop-up cannabis showcase events" can also be held at the cultivation or processing premises of a microbusiness, if that microbusiness is participating as an authorized licensee on the event permit. See 117.4(b)(3)(vi).

COMMENT: Commenters argued that licensed retailers should be free to partner with any number of retailers, cultivators, or processors, or to hold events with no cultivators or no processors. Another recommended that Registered Organizations with adult-use dispensing authority (RODs) be excluded due to those organizations having more resources.

RESPONSE: No change will be made. Cannabis Law 130-a limits a permit for an event to a single retail dispensary that partners with the requisite number of authorized licensees; if another retailer wishes to participate in that event, it must partner with different authorized licensees and obtain its own permit. Under the statute, OCM cannot discriminate against authorized licensees for having large resources.

Permit Authorizations

COMMENT: Several comments argued extending the 14-day permit limit and 45-day per-year limit for a single location and asked if the 14 days ran consecutively.

RESPONSE: No change will be made. The 14-day limit is in Cannabis Law § 130-a and cannot be changed via regulation. The 14 days run consecutively, meaning the permit is effective for 14 consecutive days starting with the first day of the approved event. These limits are necessary to avoid regulatory loopholes for dispensary location rules.

Allowable Showcase Event Locations

COMMENT: The minimum distance between an event and a retail dispensary in § 117.3(b)(1)(ii) should be clarified.

RESPONSE: This provision is being struck and § 117.3(b)(1) is being amended to clarify that the 200-foot distance is "to be measured from the entrance of the adult-use cannabis retailer's premises to the nearest boundary of the showcase event sales area."

COMMENT: Commenters argued that proximity restrictions to a school shouldn't depend on whether that structure is exclusively used as a school. This doesn't account for the dense, mixed-use nature of New York City where many educational institutions share facilities with other uses, and would allow events adjacent to schools. Commenters also requested clarity on how such distances are measured.

RESPONSE: Section 117.3(b)(1)(iv) is renumbered to 117.3(b)(1)(iii) and amended to change "building occupied exclusively as a school" to

"building containing a school" to conform the regulation to recent legislation signed by the Governor. Section 117.3(b)(2) is also amended to conform the method of measurement to that legislation.

COMMENT: One commenter argued the 200-foot buffer between a showcase event and a retail dispensary was too low. Another argued that showcase events should not occur within 200 feet of municipal parks or on residential sidewalks.

RESPONSE: No changes will be made. Distances between retail dispensaries and showcase events were reduced to recognize that some dispensaries will want to hold events in parking lots or parcels adjacent to their dispensary. The regulations do not address parks or residential areas; municipal approval is required for showcase events and localities may have prohibitions on events in those types of locations.

Cannabis Showcase Event Permit Eligibility and Application Process.

COMMENT: One comment proposed excluding marketing materials from the permit application because marketing and advertising rules were unclear, and changes mandated by OCM would interfere with event planning.

RESPONSE: No change will be made. Event marketing and advertising must comply with the detailed regulations in Parts 128 and 129. Pre-review of marketing and advertising materials is necessary due to the nature of showcase events, and OCM reserves the right to enforce its regulations at events.

COMMENT: One commenter requested removal of the two concurrent event limit on permit holders, with another asking that cancelled events not be counted.

RESPONSE: No changes will be made. This limit—calculated by the number of permits issued by OCM to the permittee, regardless of whether the event goes forward—is necessary to avoid a regulatory loophole for dispensary location rules and to curtail potential abuses in controlling event locations.

COMMENT: Commenters argued that application submission deadline of 45 days prior to the planned event severely restricted event spontaneity. Several proposed shorter review timeframes and longer cure periods, with application fees refunded if OCM does not grant the permit.

RESPONSE: No changes will be made. These timelines are necessary for OCM to review submissions—which must include site plans, security plans, and marketing materials—to ensure legal compliance, provide adequate time to correct deficiencies, and prevent locations from being tied-up by non-compliant applications. Additionally, many eligible event opportunities are cyclical, i.e. occurring annually with predictable schedules, allowing for adequate planning time for applicants.

COMMENT: Several comments addressed the requirement that a municipality approve a showcase event prior to OCM review under § 117.2(b)(13). Some proposed that the NYC Community Boards receive the same notice and comment powers they have for adult-use cannabis retail dispensaries under Cannabis Law § 76. Another comment suggested that Community Boards be allowed to set time, place, and manner restrictions for showcase events.

Other commenters argued that municipalities that had not opted out of allowing cannabis retail dispensaries under Cannabis Law § 131 should not be able to withhold approval of showcase events.

RESPONSE: No changes will be made to the requirement that cannabis showcase permit applicants must submit a signed municipal approval of the event with each application. The specific municipal office that can approve an event may differ among municipalities or based on the type of location of the proposed event. NYC Community Boards are not specified in the showcase event regulations because Cannabis Law § 76 does not apply to showcase events.

In addition, a municipality may authorize or deny a showcase event pursuant to § 117.3(b)(13), regardless of whether it passed an opt-out law under Cannabis Law § 131. Because the cannabis showcase event authorization is expressly designated as a permit under Cannabis Law § 130-a, it is not within the scope of Cannabis Law § 131, which applies to certain retail licenses.

Given that showcase events can be held outdoors and away from the location of the licensed dispensary, the regulation does not impose on a municipality's existing approval processes for outdoor events, farmers markets, or other permits that may apply to cannabis showcase events.

Event Operations, Limitations, and Prohibitions

COMMENT: One commenter suggested allowing one person to hold the roles of employee in charge of showcasing and employee in charge of sales to allow for lean staffing. Another asked if vendor staff may be under 21 years old.

RESPONSE: No change will be made. Cannabis Law § 130-a only allows the permit holder to conduct retail sales and only allows the cultivators and processors to showcase. Allowing the same person to handle sales and showcasing would violate those statutory requirements. Events are limited to individuals over 21, which includes all staff.

COMMENT: Several comments requested amendments to allow permittees to store products and cash overnight at event sites.

RESPONSE: No change will be made. Requirements for storage and security of products and cash are intended to protect licensees and the public from thefts.

COMMENT: One commenter asked whether brand representatives may be present to educate the consumer.

RESPONSE: Brand representatives may be present if they are employees of authorized licensees or permittees and comply with applicable provisions in Parts 128 and 129.

COMMENT: Several comments objected to the prohibition of on-site consumption of cannabis, and the offering of samples of cannabis products, arguing that banning consumption would hurt consumer education and would be unnecessary in municipalities that did not ban open air consumption. One commenter requested that OCM clarify the area that is subject to the regulation's prohibition of on-site consumption. Two commenters asked whether the consumption prohibition applied to the inspection of samples by smelling aromas and terpenes of dry cannabis flower.

RESPONSE: No change will be made. Allowing on-site consumption at a showcase event would create a loophole to consumption restrictions at dispensaries. Inspection of dry cannabis flower, including smelling the aromas of flower without combustion would not meet the definition of "consumption" at 9 NYCRR § 118.1(27). On-site consumption is barred in the "cannabis showcase event area" which is defined in the proposal; applicants should consult with their own attorneys whether other laws prohibit consumption outside those boundaries.

COMMENT: Clarification on transportation requirements for cannabis to and from showcase events was requested.

RESPONSE: A new subdivision (m) has been added to section 117.3 to clarify that permittees and licensees transporting cannabis products to and from showcase events must meet applicable transportation provisions in 9 NYCRR 125.10.

Non-Licensee Vendors

COMMENT: Educational and demonstrative programming should be open to vendors beyond licensees and could include demonstrations on plant science, environmental and public health, public health, and justice-impacted cannabis economies.

RESPONSE: No change will be made. Under § 117.3(j) certain educational demonstrations regarding licenses cannabis processing and cultivation may only be performed by authorized licensees with OCM approval. Non-licensee vendors (with a goods and services agreement with the permittee) may conduct educational demonstrations, including book or literary presentations, subject to approval by OCM. OCM may also provide permittees with public health or educational materials to be distributed at the event.

Department of Civil Service

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-01-26-00010-A

Filing No. 299

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

Action taken: Amendment of Appendices 1 and 2 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To delete a position from and to classify a position in the exempt class and to classify positions in the non-competitive class.

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00010-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-01-26-00011-A

Filing No. 293

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00011-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-01-26-00012-A

Filing No. 288

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00012-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-01-26-00013-A

Filing No. 295

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00013-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-01-26-00014-A

Filing No. 289

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00014-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-01-26-00015-A

Filing No. 291

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00015-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-01-26-00016-A

Filing No. 294

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00016-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-01-26-00017-A

Filing No. 290

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00017-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-01-26-00018-A

Filing No. 298

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

Action taken: Amendment of Appendices 1 and 2 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To delete a position from and to classify positions in the exempt class and to classify positions in the non-competitive class.

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00018-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-01-26-00019-A

Filing No. 296

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00019-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-01-26-00020-A

Filing No. 297

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00020-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-01-26-00021-A

Filing No. 292

Filing Date: 2026-04-02

Effective Date: 2026-04-22

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

Action taken: Amendment of Appendices 1 and 2 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class and to classify positions in the non-competitive class.

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. CVS-01-26-00021-P.

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

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

Assessment of Public Comment

The agency received no public comment.

State Board of Elections

**EMERGENCY
RULE MAKING**

Relates to Reporting Requirements of Certain Transactions Within 24-hrs for Participants in the Public Campaign Finance Program

I.D. No. SBE-04-26-00001-E

Filing No. 300

Filing Date: 2026-04-02

Effective Date: 2026-04-02

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

Action taken: Amendment of sections 6200.2, 6221.13 and 6221.15 of Title 9 NYCRR.

Statutory authority: Election Law, sections 14-102, 14-104, 14-108(2) and 14-203(1)(i)

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

Specific reasons underlying the finding of necessity: The Commissioners of the New York State Public Campaign Finance Board determined that it is necessary for the preservation of the general welfare that these amendments be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. These amendments are adopted as an emergency measure because time is of the essence as it would be impossible to adopt these regulatory amendments before the beginning of the election year in the normal course of business, and such delay would be contrary to the general welfare. The Public Campaign Finance Board has found that since Election Law section 14-203(1)(i) requires participating candidates in the Public Campaign Finance Program not to have accepted contributions in amounts exceeding contribution limits during the election cycle for which the candidate seeks certification; in order to prevent the improper payment of public matching funds, it is necessary to require participating candidates to report certain loans, liabilities, and contributions made by the candidate, the candidate's spouse, or the candidate's unemancipated children within twenty-four hours after the receipt of such loan, liability, or contribution.

Subject: Relates to reporting requirements of certain transactions within 24-hrs for participants in the Public Campaign Finance Program.

Purpose: Establishes requirements to prevent the improper payment of public matching funds.

Text of emergency rule: Amend section 6200.2 to read as follows:

The statements of campaign receipts and expenditures required by sections 14-102 and 14-104 of the Election Law shall be filed at the following times:

* * *

(g) Contributions *and loans* in excess of \$1,000 received within 14 days preceding an election which, pursuant to section 14-108(2) of the Election Law, are required to be reported within 24 hours of receipt. Such report shall include the name of the committee receiving such contribution *or loan*, the name of the contributor *or lender*, [and] residence address of the contributor *or lender*, the dollar amount of the contribution *or loan* and the date of the contribution *or loan*. Such contributions *and loans* may be reported by letter signed by the treasurer of the committee receiving the contributions or on standard campaign financial disclosure forms and may be transmitted to the proper filing officer by electronic transmission. All such contributions *and loans* shall also be included on the statement required to be filed on the post-election filing next succeeding the election for which the contribution is intended. *In any nomination or election of a candidate participating in the State's public campaign financing program, the reporting requirements of sections 6221.13 and 6221.15 of Part 6221 of this Title shall apply to contributions, loans, and liabilities made to the authorized committee by the candidate or the candidate's spouse or unemancipated children.*

Amend section 6221.13 to read as follows:

(a) In regard to contributions, at a minimum, authorized committees of participating candidates shall disclose, on such reports, the following:

(1) the full name and residential address of the contributor; the occupation, and business name and address is also required for those

contributors that make aggregate contributions of one hundred dollars or more to the committee. For individuals working remotely, such business address is the address of such business and not the remote address;

- (2) the date the contribution was received by the candidate;
- (3) the amount of the contribution;
- (4) the form of the contribution (cash, check, cashier's check, money order, credit card, other);
- (5) the number of the check, cashier's check, or money order, if applicable;
- (6) the date and amount of each contribution returned to a contributor, the account from which the funds used to make the return originated, and the number of the bank or certified check used to issue the return of funds or comparable information if an electronic transaction is used to make the refund;
- (7) each previously reported contribution for which the check was returned unpaid;
- (8) the cash balance at the beginning and end of the reporting period;
- (9) total itemized contributions, loans, and other receipts accepted during the reporting period;
- (10) total itemized and unitemized expenditures made during the reporting period; and
- (11) such other information as the PCFB may require.

(b) All contributions to a participating candidate must be itemized, including those that are \$99 or less from a single source and the political committee of the participating candidate shall report each and every contribution consistent with this section.

(c) A Post Office Box number is not sufficient for any address required by this section.

(d)(1) *Authorized committees of candidates shall, from the close of the period to be covered by the periodic disclosure statement due in January during the calendar year of the primary and general election in which the candidate is seeking nomination or election through the periodic disclosure statement due in January of the following year, disclose to the State Board of Elections within 24 hours of receipt, any contributions by the candidate or the candidate's spouse or unemancipated children to the candidate's authorized committee. Such contributions may be reported by letter signed by the treasurer of the committee receiving the contribution and may be transmitted to the proper filing officer by electronic transmission. All contributions that are required to be disclosed via such 24-hour notice must also be disclosed on the financial disclosure statement covering the relevant reporting period.*

(2) *In the case of a special election, the reporting requirements of this subdivision shall apply. Any such applicable contributions not previously disclosed shall be disclosed within 24 hours of the candidate filing the certification for such special election. Such disclosures relative to the special election shall apply through the next periodic financial disclosure statement due.*

Amend section 6221.15. to read as follows:

(a) Each disclosure statement shall include the following information about loans accepted, forgiven, or repaid by the candidate during the reporting period:

- (1) for each loan accepted, the lender's, guarantor's or other obligor's full name, residential address, occupation, and business address;
- (2) the date and amount of each loan, guarantee, or other security for a loan accepted;
- (3) for each loan repayment made, the date, amount, check number, name of bank account or credit card, and name of any third-party payor; and
- (4) the date and amount of any portion of a loan which has been forgiven or paid.

(b)(1) *Authorized committees of candidates shall, from the close of the period to be covered by the periodic disclosure statement due in January during the calendar year of the primary or general election in which the candidate is seeking nomination or election through the periodic disclosure statement due in January of the following year, disclose to the State Board of Elections, within 24 hours of receipt, any loans by the candidate or the candidate's spouse or unemancipated children to the candidate's authorized committee. Such loans may be reported by letter signed by the treasurer of the committee receiving the loan and may be transmitted to the proper filing officer by electronic transmission. All loans that are required to be disclosed via such 24-hour notice must also be disclosed on the financial disclosure statement covering the relevant reporting period. Any 24-hour notice or statement reporting such a loan shall have attached to it a copy of the evidence of indebtedness.*

(2) *For the purposes of this subdivision, outstanding liabilities owed by the committee to the candidate or the candidate's spouse or unemanci-*

pated children shall be reported in the same manner as loans as required by this subdivision.

(3) *In the case of a special election, the reporting requirements of this subdivision shall apply. Any such applicable loans or liabilities not previously disclosed shall be disclosed within 24 hours of the candidate filing the certification for such special election. Such disclosures relative to the special election shall apply through the next periodic financial disclosure statement due.*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. SBE-04-26-00001-EP, Issue of January 28, 2026. The emergency rule will expire May 31, 2026.

Text of rule and any required statements and analyses may be obtained from: Daniel Bonsangue, Public Campaign Finance Board, 40 North Pearl Street, Suite 5, Albany NY 12207, (518) 918-4851, email: daniel.bonsangue@elections.ny.gov

Regulatory Impact Statement

1. Statutory authority: Election Law § 14-207(4) provides broad regulatory authority to the New York State Public Campaign Finance Board to administer the Public Campaign Finance Program (Program). Election Law section 14-203(1)(i) requires participating candidates in the Program not to "have accepted contributions in amounts exceeding [certain] contribution limits... during the election cycle for which the candidate seeks certification;" Election Law § 14-208 (3) provides specific authority to the Public Campaign Finance Board to provide regulations for the promulgation and distribution of forms on which contributions are reported and the verification required.

2. Legislative objectives: To ensure that the Program benefits the public more effectively and to protect the public purse by clarifying the rules regarding contributions and loans.

3. Needs and benefits: The Legislature established the New York State Public Campaign Finance Program via Part ZZZ of Chapter 58 of the Laws of 2020, enacting Title 2 of Article 14 of the Election Law, and the Program launched on November 9, 2022. This proposed rule making is needed because the Public Campaign Finance Board found that in order to prevent the improper payment of public matching funds, it is necessary to require participating candidates to report loans, liabilities, and contributions made by the candidate, the candidate's spouse, or the candidate's unemancipated children within twenty-four hours after the receipt of such loan, liability, or contribution. This change is in keeping with the Legislative objective of preventing the misuse of public funds and providing greater clarity for Program participants and potential participants; and it will help the PCFB administer the Program in a way that is the most beneficial to the public.

4. Costs: No additional costs are anticipated for the State, agency, local governments or any regulated entity.

5. Local government mandates: There are no additional local mandates.

6. Paperwork: This proposal imposes a nominal new filing requirement regarding the reporting of loans, liabilities, and contributions made by the candidate, the candidate's spouse, or the candidate's unemancipated children within twenty-four hours after receipt.

7. Duplication: There is no jurisdictional duplication created by this rulemaking.

8. Alternatives: For most of the regulatory changes, there is no alternative, as regulations promulgated must be consistent with the objectives of the applicable statute(s). The only possible alternative was to not adopt the regulation and to leave the rules how they were, but it was the bipartisan staff's consensus that the rule was needed in order to protect the integrity of the Program and the public purse.

The agency will review any public comments it receives to determine whether suggested alternatives should be adopted.

9. Federal standards: There are no Federal standards applicable to this rulemaking.

10. Compliance schedule: Compliance can be immediate upon filing of the Notice of Emergency Adoption and Proposed Rule Making for publication in the State Register.

Regulatory Flexibility Analysis

Under SAPA 202-b(3)(a), when a rule does not impose an adverse economic impact on small business or local government and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on such entities, the agency may file a Statement in Lieu of. This rule will not impact small business operations or local government functions. This rule relates to the operation and activities of the New York State Public Campaign Finance Board ("PCFB") as well as the requirements on certain individual candidates and their agents who attempt to obtain, or obtain, public campaign financing in their pursuit of public elective office. Any burdens imposed by this rule solely affect the PCFB and individuals; no additional compliance, regulatory or reporting requirements are imposed on local governments or small businesses.

Rural Area Flexibility Analysis

Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, effectuating statutory changes to the Public Campaign Finance Program for State-level elected offices.

Job Impact Statement

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed changes in this rule relate to the reporting of certain financial information of participants in the Public Campaign Finance Program. It imposes no additional compliance, regulatory or reporting requirements that would hinder or eliminate jobs or employment opportunities.

EMERGENCY RULE MAKING

Adds Clarification to the Enforcement Process, the Administrative Hearing Process, and the Assessing of Penalties

I.D. No. SBE-04-26-00002-E

Filing No. 301

Filing Date: 2026-04-02

Effective Date: 2026-04-02

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

Action taken: Amendment of Part 6221 of Title 9 NYCRR.

Statutory authority: Election Law, sections 14-207(4), 14-208(3), 14-209(1) and (2)(c)

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

Specific reasons underlying the finding of necessity: The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. This amendment is adopted as an emergency measure because the amendments to the enforcement process are needed for the proper oversight of possible payments of matching funds, and the effective investigation and prosecution of any potential wrongdoers for the upcoming Elections.

Subject: Adds clarification to the enforcement process, the administrative hearing process, and the assessing of penalties.

Purpose: To assist in the enforcement of Election Law 14-209 in regards to participating committees.

Substance of emergency rule (Full text is posted at the following State website: <https://pcfb.ny.gov/pcfb-enforcement-regulation>): Section 6221.39 is amended to lay out in a clearer fashion the investigative process of the Public Campaign Finance Board (PCFB) in regard to potential violations of the programs rules or the law.

Section 6221.40 is amended to allow PCFB Enforcement Staff to make a jurisdictional determination regarding complaints filed with the PCFB pursuant to Article 14 of the Election Law. If the Enforcement Staff determines the PCFB lacks jurisdiction over the allegations contained therein, the complaint shall be rejected and forwarded to the appropriate enforcement agency, if any. 6221.40 is further amended to provide that upon the receipt of a valid complaint, Enforcement Staff may issue a Notice of Alleged Violation with an opportunity to cure as one of the permitted outcomes. Finally, the amendment makes clear that a participating committee may not use public matching funds to support compliance with or defending against any enforcement action being made pursuant to this Title.

Section 6221.41 is added to separate failures to file and late filings from other enforcement actions. It permits the Enforcement Staff to issue Notices of Enforcement against committees for failure to file or late filing without first seeking PCFB approval, provided that at least 24 hours prior to the issuance of such a Notice, the co-directors be notified except in exigent circumstances.

Section 6221.42 is amended to provide detail regarding Notices of Al-

leged Violation and when it is appropriate for the filing of such a Notice. The amendment further provides that a denial of payment pursuant to 6221.8 and 6221.26, the conduct of a preliminary inquiry, the issuance of a subpoena or interviewing of witnesses, or any action for which an executive session of the PCFB is called is not an "enforcement action".

Section 6221.44 is amended regarding Notices of Hearing. Specifically, matters shall be decided on the papers if the only contested issue is whether the Respondent timely filed required financial disclosure statements.

Section 6221.45 is amended to add treasurer and or agents thereof in regard to who may be issued a fine for violations of the program rules.

Section 6221.46's penalty schedule is amended to bring the penalties up to date in consideration of the office of Lieutenant Governor no longer being a separate race from that of Governor and updating fines to be consistent with each category.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. SBE-04-26-00002-EP, Issue of January 28, 2026. The emergency rule will expire May 31, 2026.

Text of rule and any required statements and analyses may be obtained from: Schuyler Konior Kinneman, Public Campaign Finance Board, 40 North Pearl Street, Suite 5, Albany, New York 12207, (518) 473-2784, email: schuyler.kinneman@elections.ny.gov

Regulatory Impact Statement

1. Statutory authority: Election Law § 14-207(4) provides broad regulatory authority to the New York State Public Campaign Finance Board to administer the Public Campaign Finance Program. Election Law § 14-208 (3) provides specific authority to the Public Campaign Finance Board to provide regulations for the promulgation and distribution of forms on which contributions are reported and the verification required. Election Law § 14-209(1) provides specific authority to the Public Campaign Finance Board to provide regulations for the promulgation of civil fines and penalties for violations of any provision regarding public campaign financing. Election Law § 14-209(2)(c) provides authority to the Public Campaign Finance Board for the promulgation of rules pertaining to the opportunity of potential violators to be heard pursuant to the State Administrative Procedure Act.

2. Legislative objectives: The legislative objective furthered by the proposed regulation is protection of the public funds allocated to the Public Campaign Finance Board fisc by providing for an efficient enforcement process against bad actors.

3. Needs and benefits: With a Public Financing Program being created by the State Legislature for New York State legislative and statewide offices for the first time, the regulations pertaining to enforcement processes and proceedings were necessarily developed in advance of the Program's effective date in November of 2022. As such, this was before there was any practical and actual application of these regulations. With the implementation of the Program, it became apparent to the Board that there was a need to make adjustments to the current regulatory scheme to streamline the enforcement process and related proceedings that were proving themselves to be unwieldy and unnecessarily duplicative. The clarification provided in the proposed regulation more clearly delineates the enforcement process, the assessing of potential fines for wrongdoing by participating committees, and the processes by which accused wrongdoers may be heard pursuant to administrative procedures. The benefit provided by this streamlining of the enforcement process for agency employees, and the regulated community is the increased clarity it will provide regarding the overall enforcement process.

4. Costs: No additional costs are anticipated for the State, agency, local governments or any regulated entity, as this regulation impacts information provided to the Public Campaign Finance Program.

5. Local government mandates: There are no additional local mandates.

6. Paperwork: This proposal imposes no new reporting or regulatory filing requirements.

7. Duplication: There is no jurisdictional duplication created by this rulemaking.

8. Alternatives: The alternative is not to amend the regulations regarding enforcement, which could potentially lead to the less efficient oversight of the participating committees and increase the likelihood of fraud. Further, the failure to amend the procedures regarding a participating committee's hearing process would result in confusion of the rights such committees have to be heard.

9. Federal standards: There are no Federal standards applicable to this rulemaking.

10. Compliance schedule: Compliance can be immediate upon filing of the Notice of Emergency Adoption and Proposed Rule Making for publication in the State Register.

Regulatory Flexibility Analysis

Under SAPA 202-b(3)(a), when a rule does not impose an adverse economic impact on small business or local government and the agency finds

it would not impose reporting, recordkeeping, or other compliance requirements on such entities, the agency may file a Statement in Lieu of. This rule will not impact small business operations or local government functions. This rule relates to the enforcement of the laws and regulations of the New York State Public Campaign Finance Program by the Public Campaign Finance Board. It imposes no additional compliance, regulatory or reporting requirements on local governments or small businesses.

Rural Area Flexibility Analysis

Under SAPA 201-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, providing additional clarification and processes for the enforcement regulations of the Public Campaign Finance Program. Accordingly, this rule has no adverse impact.

Job Impact Statement

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed amendment provides additional information and processes regarding the enforcement of the Public Campaign Finance Program’s regulations. This rulemaking imposes no regulatory burden on any facet of job creation or employment.

**EMERGENCY
RULE MAKING**

Special Rules for Candidates for Governor and Lieutenant Governor

I.D. No. SBE-04-26-00003-E

Filing No. 304

Filing Date: 2026-04-04

Effective Date: 2026-04-04

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

Action taken: Addition of section 6221.26; amendment of section 6221.34 of Title 9 NYCRR.

Statutory authority: Election Law, sections 14-207(4) and 14-208(3)

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

Specific reasons underlying the finding of necessity: The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. This amendment is adopted as an emergency measure because the statutory requirements to join the Public Campaign Finance Program and ensure eligibility for public matching funds would be impossible to implement for the Governor and Lieutenant Governor races absent the immediate adoption of these amendments.

Subject: Special Rules for Candidates for Governor and Lieutenant Governor.

Purpose: Implements legislative changes regarding the manner in which candidates for Gov. and Lt. Gov. receive public campaign funds.

Text of emergency rule: Addition of section 6221.26 to read as follows:
6221.26. *Special Rules for Candidates for Governor and Lieutenant Governor.*

(a) *This section shall apply to participating candidates running for Governor and Lieutenant Governor. All other provisions of this Part, not inconsistent with this section, shall apply to participating candidates for Governor and Lieutenant Governor.*

(b) *Candidates running jointly for Governor and Lieutenant Governor shall be considered to be a single candidate for the same elective office in an election cycle when they meet the provisions provided for in subdivision (c) of this section.*

(c) *Candidates shall be considered to be running jointly for Governor and Lieutenant Governor on the earlier date on which:*

(1) *the candidates for Governor and Lieutenant Governor file a joint registration or joint certification as provided for in this Part;*

(2) *the candidate for Governor and the candidate for Lieutenant Governor publicly indicate that the two candidates intend to run jointly;*

(3) *the candidate for Governor and the candidate for Lieutenant Governor file a certificate of designation or a certificate of acceptance of a joint designation, party nomination, or independent nomination pursuant to article 6 of the Election Law; or*

(4) *a substitution is made pursuant to article 6 of the Election Law and a certification is filed for such substitution as provided for in this Part.*

(d)(1) *Filer Registration and Re-Registration. Participating candidates running jointly for Governor and Lieutenant Governor shall have one authorized committee. Such authorized committee shall be controlled by the candidate for Governor, provided, however, that the candidate for Lieutenant Governor shall remain subject to all rules under this Part not otherwise inconsistent with this section. All contributions to and expenditures by the candidates running jointly for Governor and Lieutenant Governor shall be made to or by such authorized committee. All public funds payments made pursuant to title 2 of article 14 of the Election Law shall be made to such authorized committee, if otherwise eligible.*

(2) *While running jointly with a candidate for Governor, an existing political committee that is associated with and designated by the candidate for Lieutenant Governor shall immediately cease accepting contributions and making expenditures. A political committee that is associated with and designated by the candidate for Lieutenant Governor may transfer any eligible funds from such committee to the joint authorized political committee or make any other transfer subject to any applicable restrictions.*

(e) *Application and Certification.*

(1) *Candidates for Governor and Lieutenant Governor may jointly or separately register for the Program using a form prescribed by the PCFB.*

(2) *To be eligible to receive funds pursuant to title 2 of article 14 of the Election Law, both candidates running jointly for Governor and Lieutenant Governor shall jointly submit an application/certification prescribed by the PCFB. Such application/certification shall be jointly filed by the deadline required by paragraph (d) of subdivision 1 of section 14-203 of the Election Law. Such joint certification shall identify the candidates’ authorized committee that is supporting the combined candidates for Governor and Lieutenant Governor.*

(f) *Eligibility Criteria. In addition to the requirements in section 6221.9 of this Part, and notwithstanding any inconsistent provisions, candidates running jointly for Governor and Lieutenant Governor:*

(1) *may make a combined contribution to their authorized committee in an amount that does not exceed three times the applicable contribution limit from an individual contributor to candidates for Governor;*

(2) *may not, in the aggregate, loan their committee funds which are in excess of three times the applicable contribution limit from an individual to candidates for Governor;*

(3) *shall not have accepted contributions in amounts, which in the aggregate, exceed the contribution limits set forth for candidates in paragraph (a) of subdivision 1 of section 14-114 of the Election Law during the election cycle which the candidate seeks funds;*

(4) *shall meet the applicable monetary and matchable contribution thresholds for eligibility for public funding required by paragraph (a) of subdivision 2 of section 14-203 of the Election Law. Contributions from an individual to both candidates shall be combined for the purposes of the monetary threshold. Contributions from an individual to both candidates shall only count once for the purposes of the matchable contribution threshold.*

(g)(1) *For the purposes of determining the aggregate amount of a contribution to the single authorized committee of the candidates for Governor and Lieutenant Governor:*

(i) *contributions from an individual in the election cycle to a candidate for Governor shall be combined with contributions from such individual to a candidate for Lieutenant Governor; and*

(ii) *contributions to candidates who appeared on the ballot for a different elective office during the current election cycle for statewide office will not be combined with contributions to the committee jointly authorized by the candidates for Governor and Lieutenant Governor. A contribution to a candidate for State Assembly or State Senate in the prior two-year legislative election cycle will not be combined with a contribution to the committee jointly authorized by the candidates for Governor and Lieutenant Governor.*

(2) *Any contribution in the aggregate from an individual that is over the limit as provided for in section 14-114 of the Election Law shall be refunded.*

(3) *Any contribution from an individual that is over \$1,050 shall not be matchable in any amount unless the portion over \$1,050 is refunded as required by this Part.*

(h) *Penalties. Candidates running jointly for Governor and Lieutenant Governor shall be jointly and severally liable along with their authorized committee for the payment of any penalties assessed as well as for repayments of funds used for an impermissible purpose, if any.*

(i) Surplus and Repayments.

(1) All funds remaining in the participating candidates' joint authorized political committee as well as funds remaining in the candidates' separate authorized committees, if any, shall be subject to surplus and repayment pursuant to section 6221.31 of this Part.

(2) Any funds retained in the participating candidates' joint authorized political committee at the end of an election cycle after any repayments are made shall be controlled by the candidate who ran for Governor. Such funds may be used for any lawful purpose.

(3) The receipts and expenditures during the election cycle of the joint authorized political committee and the receipts and expenditures of the candidates' separate authorized political committees, if any, shall be used in the surplus calculation or for any other repayment calculation.

Amend 6221.34(a)(1) to read as follows:

(1) Non-participating candidates may participate in such debates subject to meeting criteria in paragraph [(c)(2)] (a)(5) of this section.

Amend 6221.34(a)(5) to read as follows:

(5) Each participating and non-participating candidate shall meet criteria, including financial criteria requiring that a participating or non-participating candidate shall be eligible to participate in such debate if they have, by the last filing date prior to such debate raised, and spent an amount equal to or more than five percent of the limits on public funding for the candidate provided under section 14-204 of the Election Law during the applicable election cycle. For the purposes of these criteria, candidates for governor and lieutenant governor from the same party in a [general or special] covered election shall each be deemed to satisfy the criteria if either of them does or if both of them together do.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. SBE-04-26-00003-EP, Issue of January 28, 2026. The emergency rule will expire June 2, 2026.

Text of rule and any required statements and analyses may be obtained from: Mark Sattinger, Public Campaign Finance Board, 40 North Pearl Street, Suite 5, Albany, New York 12207, (518) 486-4989, email: mark.sattinger@elections.ny.gov

Regulatory Impact Statement

1. Statutory authority: Election Law § 14-207(4) provides broad regulatory authority to the New York State Public Campaign Finance Board to administer the Public Campaign Finance Program (Program). Election Law sections 6-104, 6-134, 6-148, and 7-114 were amended as of May 9, 2025 to establish that candidates for the offices of governor and lieutenant governor are now designated and voted on jointly as a slate in the primary election. Election Law sections 14-203(2) and 14-204(1) were accordingly amended to establish the Program eligibility criteria and maximum public funds payment amount for participating candidates for governor and lieutenant governor running jointly.

2. Legislative objectives: To ensure that the Program benefits the public more effectively and to the public purse by clarifying the rules regarding joint candidacies of Governor and Lieutenant Governor in the state of New York.

3. Needs and benefits: The Legislature established the New York State Public Campaign Finance Program via Part ZZZ of Chapter 58 of the Laws of 2020, enacting Title 2 of Article 14 of the Election Law, and the Program launched on November 9, 2022. In 2025, amendments to Election Law Article 14 regarding the Program were enacted pursuant to Part OO of Chapter 55 of the Laws of 2025, wherein the Legislature made significant substantive statutory changes to the Program intended to ensure that the Program benefits the public more effectively and protects the public purse. This rulemaking adds conforming regulatory changes to address amendments to Election Law Article 14 pursuant to Part OO of Chapter 55 of the Laws of 2025 regarding the nomination and election of candidates for Governor and Lieutenant Governor.

The proposed amendments to the Program regulations are needed so that the Public Campaign Finance Board (PCFB) can properly administer the Program as it relates to participating candidates for the offices of Governor and Lieutenant Governor considering recent legislative changes regarding the nomination and election of such candidates. These amendments to Program regulations keep with the legislative objective of preventing the misuse of public funds and providing greater clarity for Program participants and potential participants; and it will help the PCFB administer the Program in a way that is the most beneficial to the public.

4. Costs: No additional costs are anticipated for the State, agency, local governments or any regulated entity.

5. Local government mandates: There are no additional local mandates.

6. Paperwork: This proposal imposes a nominal new reporting or regulatory filing requirement regarding joining the Program by filing a simple form.

7. Duplication: There is no jurisdictional duplication created by this rulemaking.

8. Alternatives: For all of the regulatory changes, there is no alternative, as regulations promulgated must be consistent with the objectives of the applicable statute(s). These regulations merely implement statutory changes.

The agency will review any public comments it receives to determine whether suggested alternatives should be adopted. No public comments were received in the initial public comment period.

9. Federal standards: There are no Federal standards applicable to this rulemaking.

10. Compliance schedule: Compliance can be immediate upon filing of the Notice of Emergency Adoption and Proposed Rule Making for publication in the State Register.

Regulatory Flexibility Analysis

Under SAPA 202-b(3)(a), when a rule does not impose an adverse economic impact on small business or local government and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on such entities, the agency may file a Statement in Lieu of. This rule will not impact small business operations or local government functions. This rule relates to the operation and activities of the New York State Public Campaign Finance Board ("PCFB") as well as the requirements on certain individual candidates and their agents who attempt to obtain, or obtain, public campaign financing in their pursuit of public elective office. Any burdens imposed by this rule solely affect the PCFB and individuals; no additional compliance, regulatory or reporting requirements are imposed on local governments or small businesses.

Rural Area Flexibility Analysis

Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, effectuating statutory changes to the Public Campaign Finance Program for statewide elected offices.

Job Impact Statement

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed changes in this rule relate to the implementation of clarifying amendments to the Public Campaign Finance Program. It imposes no additional compliance, regulatory or reporting requirements that would hinder or eliminate jobs or employment opportunities.

Department of Environmental Conservation

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Bluefish Recreational Fishing

I.D. No. ENV-16-26-00005-EP

Filing No. 305

Filing Date: 2026-04-07

Effective Date: 2026-04-07

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

Proposed Action: Amendment of Part 40 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 13-0105 and 13-0340

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

Specific reasons underlying the finding of necessity: This rulemaking is necessary for New York State to implement and remain consistent with recent changes to the Atlantic States Marine Fisheries Commission (ASMFC) and Mid-Atlantic Fishery Management Council's (MAFMC) fishery management plans (FMP) for Bluefish. The proposed rule was developed in response to an August 12, 2025 decision by ASMFC and MAFMC to allow increased recreational Bluefish harvest coast-wide

through increased possession limits. Bluefish is managed jointly by ASMFC and MAFMC using a coast-wide framework. Each member state is currently required to have identical recreational management measures unless they have submitted an approved conservation equivalency program. The National Oceanic and Atmospheric Association’s (NOAA) National Marine Fisheries Service published its proposed rule on this matter on December 9, 2025. The final rule was adopted on February 19, 2026.

The New York State Department of Environmental Conservation (department) is adopting these changes on an emergency basis to protect the general welfare of the State. If New York State fails to adopt the proposed rule New York recreational anglers and associated businesses would be operating under more restrictive rules than neighboring states and be denied the maximum benefit of these less restrictive fishing regulations.

Promulgation of this regulation on an emergency basis is necessary because the normal rulemaking process would not implement the proposed changes by mid-April, when recreational fishers begin targeting Bluefish in State waters. The normal rulemaking process, outlined in State Administrative Procedure Act (SAPA) section 202, involves several steps and timeframes that would make it impossible to adopt this rule by mid-April 2026. For example, SAPA subdivision 202(1) requires a minimum 60-day public comment period for a proposed rulemaking. That time frame alone would push the effective date of this rule well beyond mid-April. Finally, unlike emergency rules adopted pursuant to SAPA subdivision 202(6), which are effective immediately upon filing with the Department of State (DOS), normal rules adopted pursuant to SAPA subdivision 202(1) do not take effect until they are published in the State Register. Publication takes place a minimum of two weeks from the date the department files the adoption notice with DOS. A normal rulemaking adopted pursuant to SAPA subdivision 202(1) would fail to implement ASMFC and MAFMC requirements by mid-April 2026. As a result, New York State’s recreational Bluefish limits would be inconsistent with ASMFC and MAFMC requirements, placing New York businesses that rely, in part, on the recreational Bluefish fishery at a disadvantage compared to those in neighboring states.

Subject: Bluefish Recreational Fishing.

Purpose: To increase the recreational possession limits of Bluefish.

Text of emergency/proposed rule: Table A in existing subdivision 40.1(e) is amended to read as follows:

Bluefish is amended to read as follows:
40.1 (e) Table A – Recreational Fishing.

Species	Open Season	Minimum Length	Possession Limit
Bluefish licensed party/charter boat anglers	All year	No minimum size limit	[5] 7
Bluefish all other anglers	All year	No minimum size limit	[3] 5

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire July 5, 2026.

Text of rule and any required statements and analyses may be obtained from: Rachel Sysak, NYS Department of Environmental Conservation, 123 Kings Park Boulevard (Nissequogue River State Park), Kings Park, NY 11754, (631) 444-0469, email: rachel.sysak@dec.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.

Additional matter required by statute: The Department has determined that the Notice of Emergency Adoption is a Type II action and no further review is required pursuant to Article 8 of the ECL, the State Environmental Quality Review Act. The Department has determined that the Notice of Proposed Rule Making is an unlisted action pursuant to Article 8 of the ECL, and a Short Environmental Assessment Form and negative declaration have been prepared and are on file. A Coastal Assessment Form is also on file.

Regulatory Impact Statement

1. Statutory authority:

The New York State Environmental Conservation Law (ECL) section 13-0105 directs the Department of Environmental Conservation (department) to manage the State of New York’s marine fishery resources to preserve their long-term health and abundance for future generations while maintaining consistency with interjurisdictional fishery management plans (FMPs). ECL section 13-0340 further authorizes the department to fix by

regulation measures for the management of Bluefish, including possession limits, as long as such measures are consistent with applicable interstate FMPs.

2. Legislative objectives:

It is the objective of the above-cited laws that the department manage Bluefish to optimize resource use for recreational harvesters in a manner that is consistent with marine fisheries conservation and management policies and interstate FMPs.

3. Needs and benefits:

Bluefish is managed by the Atlantic States Marine Fisheries Commission (ASMFC) and the Mid-Atlantic Fishery Management Council (MAFMC) using a recreational coastwide framework. The proposed rule is necessary for New York State to maintain consistency with the ASMFC and MAFMC FMP for Bluefish.

The department developed the proposed rule for consistency with less restrictive recreational possession limits adopted by ASMFC and MAFMC. More specifically, the proposed rule increases the recreational possession limit for private anglers from three fish to five fish and the recreational possession limit for anglers aboard licensed party/charter vessels from five fish to seven fish.

The proposed rule is necessary to optimize resource use by New York anglers. Failure by the State to adopt the proposed rule prior to the start of the recreational fishing season would place New York anglers at a disadvantage compared to anglers in neighboring states and deny them the maximum benefit of the less restrictive rules.

4. Costs:

There are no new costs to State and local governments from this action. The department will incur limited costs associated with implementation and administration of the proposed rule, including costs to notify recreational fishers, party and charter boat operators, and associated businesses of the new rules.

Because the proposed rule implements less restrictive recreational possession limits, no new costs are anticipated to fishers or related businesses. In contrast, the proposed rule may result in increased revenue for small businesses that rely, in part, on the State’s recreational Bluefish fishery. Because Bluefish plays a significant role among New York’s fisheries, increasing the number of fish that can be retained should provide economic benefits to those small businesses.

In 2025, there were 530 licensed party and charter businesses in New York State. Retail and wholesale marine bait and tackle shops may also benefit from the proposed rule. Data available from the National Oceanic and Atmospheric Administration’s (NOAA) 2024 Marine Recreational Information Program estimates that there were 906,693 recreational trips targeting Bluefish in New York State during 2024. These statistics do not include federally permitted commercial vessels operating out of New York State. NOAA’s 2022 report on The Economic Contribution of Marine Angler Expenditures on Durable Goods in the United States estimates that recreational angler expenditures contributed 2,425 jobs to the State’s economy and \$249 million to the State’s gross domestic product in 2021.

5. Local government mandates:

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

6. Paperwork:

The proposed rule does not impose new paperwork requirements.

7. Duplication:

The proposed rule does not duplicate any State or Federal requirements.

8. Alternatives:

ASMFC and MAFMC member states must adopt identical recreational Bluefish management measures. The proposed increases to the possession limits represent the joint preference of the member states.

The “no action” alternative: ECL section 13-0340 requires the department to adopt Bluefish management measures that are consistent with ASMFC and other applicable interstate FMPs. The proposed rule must be adopted to maintain consistency with the ASMFC and MAFMC FMP for Bluefish. Failure to adopt the proposed rule would place New York anglers at a disadvantage compared to anglers in neighboring states and deny them the maximum benefit of the less restrictive rules.

9. Federal standards:

The amendments to 6 NYCRR Part 40 comply with the ASMFC FMP for Bluefish.

10. Compliance schedule:

The proposed emergency rule will take effect immediately upon filing of the Notice of Emergency Adoption with the Department of State. Regulated parties will be notified of the changes to the regulations through publication in the State Register, appropriate news releases, and through the department’s website. In addition, the department will send direct notice by email to party and charter boat license holders.

Regulatory Flexibility Analysis

1. Effect of rule:

The proposed rule implements the Atlantic States Marine Fisheries Commission (ASMFC) and Mid-Atlantic Fishery Management Council’s

(MAFMC) increase to coast-wide recreational Bluefish possession limits. Specifically, the proposed rule increases the private angler possession limit from three fish to five fish and increases the angler aboard licensed party/charter vessel limit from five fish to seven fish.

The New York State Environmental Conservation Law (ECL) section 13-0340 requires the Department of Environmental Conservation (department) to adopt Bluefish management measures that are consistent with ASMFC and other applicable interstate fishery management plans (FMPs). The proposed rule is necessary to maintain consistency with ASMFC and MAFMC recreational Bluefish possession limits. Failure by the State to implement these new rules by the start of the recreational fishing season could put New York anglers at a disadvantage to neighboring states and deny them the maximum benefit of these less restrictive rules.

New York's Bluefish fishery is relatively large. Data provided through the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Marine Recreational Information Program (MRIP) estimates New York anglers took 906,693 recreational trips targeting Bluefish in the State in 2024. Less restrictive possession limits may result in increases in revenue for party and charter businesses, tackle shops, and other small businesses that rely, in part, on the recreational Bluefish fishery.

2. Compliance requirements:

This rulemaking will not impose new compliance requirements for small businesses and local governments. New York recreational fishers will be required to comply with the proposed possession limits. However, these limits are less restrictive than the possession limits currently in place.

3. Professional services:

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

4. Compliance costs:

The proposed rule will not result in significant costs to the State or local governments. The department will incur limited costs associated with the implementation and administration of the rule, including costs to notify recreational fishers and associated businesses of the new rules.

Bluefish plays a significant role among New York's fisheries. Less restrictive recreational possession limits may result in increased revenue for small businesses that rely, in part, on the State's recreational Bluefish fishery.

5. Economic and technological feasibility:

The proposed rule does not impact local governments. No expenditure is required on the part of affected businesses to comply with the proposed changes, nor does the proposed rule require the use of new or specific gear.

6. Minimizing adverse impact:

This rulemaking will not have any adverse economic impact on small businesses or local governments.

7. Small business and local government participation:

The department will notify the public of the proposed rule and comment period through the department's Environmental Notice Bulletin, the "DEC Delivers" Saltwater Fishing and Boating Newsletter, and the department's website. In addition, the department will send direct notice by email to party and charter boat license holders.

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

Pursuant to the State Administrative Procedure Act (SAPA) subdivision 202-b(1-a)(b), a cure period is not included in the rule because of the potential adverse impact on the resource. Cure periods for the illegal taking of fish or wildlife are not recommended. Immediate compliance is required to ensure that the general welfare of the public and the resource are both protected.

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

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

Rural Area Flexibility Analysis

The Department of Environmental Conservation (department) has determined that this rule will not impose any adverse impacts on rural areas. This rulemaking only affects the Marine and Coastal District of the State; there are no rural areas within the Marine and Coastal District. The Bluefish fishery is entirely located within the Marine and Coastal District and is not located adjacent to any rural areas of the State. The Bluefish fishery is located entirely within the Marine and Coastal District and is not located adjacent to any rural areas of the State. The proposed rule will not impose any reporting, record keeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas will be affected by the proposed amendments to 6 NYCRR Part 40, the department has determined that a Rural Area Flexibility Analysis is not required.

Job Impact Statement

The current 6 NYCRR section 40.1 describes open seasons, size, and catch limits for "marine fish." The proposed rulemaking amends 6 NYCRR sec-

tion 40.1 to modify recreational harvest limits for Bluefish. The proposed rulemaking increases the private recreational angler possession limit from three fish to five fish and increases the angler aboard licensed party/charter vessel limit from five fish to seven fish. In general, increasing recreational fishing opportunities can result in financial benefits for party and charter boat operators and related businesses through potential increases in number of trips and fish harvested. Given that the economic impact of the proposed rule is expected to be beneficial, a Job Impact Statement is not submitted with this proposal because the proposal would have no substantial adverse impact on existing or future jobs or employment opportunities.

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Approval of Issuance of Long-term Debt and Surcharge to Collect Debt Service Costs

I.D. No. PSC-16-26-00001-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 a petition filed by Sleepy Hollow Lake Water Company, Inc., requesting authority to enter into a long-term loan agreement of up to \$8,376,498 and to adopt a customer surcharge to recover debt service costs.

Statutory authority: Public Service Law, section 89-f

Subject: Approval of issuance of long-term debt and surcharge to collect debt service costs.

Purpose: To ensure that the expenditures funded by the loan are reasonably required for the stated purpose, water system improvements.

Substance of proposed rule: The Commission is considering a petition by Sleepy Hollow Lake Water Company Inc. (Sleepy Hollow), filed on February 27, 2026, requesting authorization to enter into a short-term, low-interest construction line of credit from New York State Environmental Facilities Corporation, which shall convert to a 30-year, fixed-rate loan for an amount up to \$8,376,498, to be used to fund water system improvements. In addition, Sleepy Hollow requests authorization to implement a customer surcharge to recover the debt service costs over the duration of the line of credit and 30-year loan.

Sleepy Hollow is owned and operated by the Association of Property Owners of Sleepy Hollow Lake, Inc., and supplies metered water service to 901 customers in the Towns and Villages of Cossackie and Athens in Greene County, NY. Sleepy Hollow states that the purpose of borrowing is to upgrade aging water system components and to provide water service for new residential units in the Association.

The Commission reviews petitions for approval of debt issuance under Public Service Law § 89-f and Title 16 of the New York Codes, Rules and Regulations Part 37. Under § 89-f, before approving, the Commission must find that the expenditures to be paid for by the issue of indebtedness are reasonably required for the specified purposes and not otherwise chargeable to operating revenues or income.

The full text of the petition and the full record of this 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.

(26-W-0127SP1)

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

Debt Financing Arrangement Related to the Ownership of Generation and Transmission Facilities Providing Wholesale Services

I.D. No. PSC-16-26-00002-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 a petition filed by PowerTransitions LegacyOps II LLC, seeking flexible financing authorization under lightened regulation pursuant to Public Service Law (PSL) § 69.

Statutory authority: Public Service Law, sections 5, 64, 65, 66 and 69

Subject: Debt financing arrangement related to the ownership of generation and transmission facilities providing wholesale services.

Purpose: To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.

Substance of proposed rule: The Commission is considering a petition filed on March 20, 2026, by PowerTransitions LegacyOps II LLC (Petitioner), seeking approval of to incur indebtedness, for a term in excess of twelve months pursuant to Section 69 of the Public Service Law (the Petition). Specifically, the Petition seeks authorization to incur aggregate debt up to \$45 million dollars. The proposed debt would be used for statutory purposes related to owning and operating the generation and transmission facilities described in the Petition.

Additionally, Petitioner requests flexibility to modify, without prior Commission approval to substitute financing entities and change payment terms and amounts of its financing without having to seek new Commission authorization so long as the total borrowing is less than or equal to the total debt requested. The Petition states that this flexibility is needed to allow Petitioner to quickly refinance to take advantage of changing market conditions.

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

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

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

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

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

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

(26-M-0187SP1)

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

Petition to Submeter Electricity and Waiver Requests

I.D. No. PSC-16-26-00003-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 the petition of New York City Housing Authority seeking authorization to submeter electricity at 641-643 East 13th Street and 612 East 14th Street, New York, and waivers of § 96.5(h), § 96.5(L)(2), § 96.5(L)(3), and § 96.5(L)(5).

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 requests.

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

Substance of proposed rule: The Commission is considering the petition filed by New York City Housing Authority (NYCHA) on January 15, 2026, seeking authority to submeter electricity at two existing affordable rental buildings, situated at 641-643 East 13th Street and 612 East 14th Street, New York, New York (collectively, Campos II). Campos II is located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the NYCHA's request for waivers of 16 NYCRR § 96.5(h), § 96.5(l)(2), § 96.5(l)(3), and § 96.5(l)(5).

NYCHA requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents; however, NYCHA states that it will be responsible for paying electric bills. Campos II is a multi-family residential complex consisting of 224 affordable units. Units are currently directly metered, and residents pay their electricity bills to Con Edison. As part of an ongoing renovation under New York City's Permanent Affordability Commitment Together (PACT) program, NYCHA is converting the building to electric heat by installing high efficiency heat pumps in each unit. To minimize the burden of the increased electricity usage on the low-income residents, NYCHA plans to start paying the entirety of each unit's electricity bill. NYCHA will still provide all residents with "electrical usage statements" based on the submetering data. NYCHA further states that the submetering will facilitate the implementation of advanced energy-efficiency measures within the building.

The Commission reviews submetering proposals for consistency with the requirements of 16 NYCRR Part 96. If 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 Commission is also considering the NYCHA's request for waiver of 16 NYCRR § 96.5(h), § 96.5(l)(2), § 96.5(l)(3), and § 96.5(l)(5). NYCHA states that a temporary waiver of § 96.5(h), the energy efficient refrigerator requirement, is warranted because the planned installation of new energy efficient refrigerators in each unit may not conclude before the commencement of submetering. NYCHA requests that the Commission find that the proposed control system for the electric heat pumps meets the requirements of § 96.5(l)(2), requiring programmable thermostats in each unit; in the alternative, NYCHA requests waiver of this requirement. NYCHA states either that § 96.5(l)(3), related to minimizing electricity bill costs, does not apply or that a waiver is warranted because residents will not pay for their submetered electricity usage. Finally, NYCHA requests waiver of § 96.5(l)(5), which requires owners of buildings in which at least 25 of the residents receive income-based housing assistance to register to become HEAP vendor, on the basis that residents will not be paying for their submetered electric usage.

The full text of the petition and the 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.

(26-E-0040SP1)

Workers' Compensation Board

NOTICE OF ADOPTION

Residents and Fellows

I.D. No. WCB-01-26-00003-A

Filing No. 302

Filing Date: 2026-04-03

Effective Date: 2026-04-22

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

Action taken: Addition of section 329-1.3(e) to Title 12 NYCRR.

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

Subject: Residents and fellows.

Purpose: To provide guidance about treatment by residents/fellows; implement amendment to section 13-b of the Workers' Compensation Law.

Text or summary was published in the January 7, 2026 issue of the Register, I.D. No. WCB-01-26-00003-P.

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

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

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2029, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

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

The first comment disagreed with the proposal entirely but offered no suggestions, asking what the point of the proposal was and whether it was a publicity stunt. Because this proposal implements billing guidance for the amendments to Workers' Compensation Law section 13-b allowing treatment by residents and fellows under the supervision of an authorized provider, no change has been made in response to this comment.

The second comment requested clarification about who testifies for a claimant who was treated by a resident or fellow. Because the Board anticipates that residents and fellows will rarely (if ever) be asked to testify, whether their testimony is required in a claim will be determined by the Workers' Compensation Law Judge on a case by case basis, so no change has been made in response to this comment.

Changes made: None.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-12-26-00004-P	Amend the Existing Regulations to Include Changes Needed Based on Recent Statutory Revisions	Via Webex—May 28, 2026, 1:00 p.m. Instructions on how to “join” the hearing webinar and how to provide an oral statement may be accessed at the proposed regulations webpage for DEC, available at: https://www.dec.ny.gov/regulations/propregulations.html#public . Instructions will also be available on the DEC events calendar at: https://www.dec.ny.gov/calendar/ Persons who wish to receive the instructions by mail or telephone may call DEC at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 350 public comment hearing.
Long Island Power Authority		
LPA-13-26-00006-P	Formula Rate and Implementing Protocols for Transmission Network Upgrades Constructed/Owned by LIPA as a PPTN Designated Entity	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—June 1, 2026, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—June 1, 2026, 6:00 p.m.
LPA-13-26-00007-P	Uniform Business Practices	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—June 1, 2026, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—June 1, 2026, 6:00 p.m.
LPA-13-26-00008-P	Small Generator Interconnection Procedures	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—June 1, 2026, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—June 1, 2026, 6:00 p.m.
LPA-13-26-00009-P	Electric Vehicle Phase-In Rates (EVPIR) for Behind-the-Meter Storage That is Not Paired with a Distributed Generator	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—June 1, 2026, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—June 1, 2026, 6:00 p.m.
Public Service Commission		
PSC-04-26-00009-P	Proposed Major Rate Increase in Con Edison’s Annual Revenues by Approximately \$66 Million	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—May 12, 2026 and continuing daily as needed (Evidentiary Hearing)*, 10:00 a.m. *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 25-S-0741.

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-09-26-00002-P 03/04/27	Control of the Asian Long Horned Beetle (ALB)	To lift approximately 7.4 square miles of Asian long horned beetle quarantine in Nassau and Suffolk Counties
AAM-16-26-00004-P	..... 04/22/27	Control of the European Cherry Fruit Fly.	To expand the quarantine area for the European Cherry Fruit Fly to include Livingston County in its entirety.

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.

AUDIT AND CONTROL, DEPARTMENT OF

AAC-06-26-00008-P 02/11/27	Expedited Payment Program	To establish the value of property to be paid or delivered under the expedited payment program.
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CANNABIS MANAGEMENT, OFFICE OF

OCM-12-26-00002-P 03/25/27	Amendments to medical cannabis regulations	Amends medical cannabis regulations to conform to enacted legislation.
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CHILDREN AND FAMILY SERVICES, OFFICE OF

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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Action Pending Index**NYS Register/April 22, 2026**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-06-26-00001-P	02/11/27	Jurisdictional Classification	To delete positions from and to add a position in the non-competitive class
CVS-06-26-00002-P	02/11/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-26-00003-P	02/11/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-26-00004-P	02/11/27	Jurisdictional Classification	To classify positions in the exempt class.
CVS-06-26-00005-P	02/11/27	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-26-00006-P	02/11/27	Jurisdictional Classification	To classify positions in the exempt class and to classify a position in the non-competitive class
CVS-06-26-00007-P	02/11/27	Family Sick Leave	To increase amount of annual family sick leave from twenty-five (25) to thirty (30) days for eligible M/C employees
CVS-09-26-00005-P	03/04/27	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class.
CVS-09-26-00006-P	03/04/27	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class.
CVS-09-26-00007-P	03/04/27	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-09-26-00008-P	03/04/27	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-09-26-00009-P	03/04/27	Jurisdictional Classification	To classify the positions in the exempt class.
CVS-09-26-00010-P	03/04/27	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-09-26-00011-P	03/04/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-09-26-00012-P	03/04/27	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-09-26-00013-P	03/04/27	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class.
CVS-09-26-00014-P	03/04/27	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-12-26-00001-P	03/25/27	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-14-26-00001-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-26-00002-P	04/08/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-26-00003-P	04/08/27	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-14-26-00004-P	04/08/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-26-00005-P	04/08/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-26-00006-P	04/08/27	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-14-26-00007-P	04/08/27	Jurisdictional Classification	To classify positions in the exempt class.
CVS-14-26-00008-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-26-00009-P	04/08/27	Jurisdictional Classification	To classify positions in the exempt class.
CVS-14-26-00010-P	04/08/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-26-00011-P	04/08/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-26-00012-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-26-00013-P	04/08/27	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-26-00014-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-26-00015-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-26-00016-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-26-00017-P	04/08/27	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2026
CVS-14-26-00018-P	04/08/27	Jurisdictional Classification	To classify positions in the non-competitive class
CORRECTION, STATE COMMISSION OF			
CMC-15-26-00001-P	04/15/27	Supervision of female detainees.	To allow the supervision of female detainees by male officers in police lockups, provided certain safeguards are established.
CMC-15-26-00002-P	04/15/27	Possession of medication by incarcerated individuals.	To provide jail healthcare providers the ability to supply incarcerated individuals with a supply of low-risk medication.
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-50-25-00001-P	12/17/26	Heat Mitigation Plan	To establish a heat mitigation plan for Department facilities.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-01-26-00002-RP	01/07/27	Incarcerated Individual Telephone Calls	Eliminate references to collect calls to align with the current incarcerated individual telephone call program.
CCS-13-26-00001-P	04/01/27	Contraband Drug Testing	To further clarify the process and procedure for the testing of suspected contraband drugs.
CCS-14-26-00019-P	04/08/27	Packages and Articles Sent to Institutions	Repeal section pertaining the Watertown Correctional Facility which was closed in 2021.
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
CJS-04-26-00004-P	01/28/27	Staff Development (Probation)	The proposed amendments make necessary updates to modernize the regulations involving staff development.
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-06-26-00010-P	02/11/27	Semiconductor Manufacturing Workforce Training Incentive Program	Allow Dept to implement the Semiconductor Manufacturing Workforce Training Incentive Program
EDV-14-26-00020-P	04/08/27	Empire State Independent Film Production Tax Credit Program	To create the administrative process of this tax credit program
EDV-14-26-00021-P	04/08/27	Empire State Film Production Tax Credit Program	To update the administrative process of this tax credit 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-38-25-00010-RP	09/24/26	Statewide Protocols for Diapering and Toileting	To implement Chapter 361 of the Laws of 2024.
EDU-38-25-00013-RP	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
EDU-52-25-00015-P	12/31/26	Degree requirements for registered professional nurses	To implement Chapters 502 of the Laws of 2017 and Chapter 380 of the Laws of 2018.
EDU-52-25-00016-EP	12/31/26	Registered pharmacy technicians' practice settings	To implement Chapter 543 of the Laws of 2025.
EDU-52-25-00017-P	12/31/26	Part-time Study for Undergraduate Students	Conform regulations to 2025-26 Enacted State Budget changes to the Part-Time Tuition Assistance Program and expand eligibility.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-04-26-00012-P	01/28/27	Automated External Defibrillators and School Cardiac-Emergency Response plans	To ensure the regulations are in compliance with Chapter 189 of the Laws of 2025 and Chapter 422 of the Laws of 2025
EDU-04-26-00013-P	01/28/27	Establishing a program review process for teacher preparation programs.	Strengthen quality assurance of teacher preparation programs and determine if programs meet pedagogical core requirements.
EDU-08-26-00005-P	02/25/27	Examination requirements for optometry licensure.	To align the examination requirements for licensure with the National Board of Examiners in Optometry.
EDU-08-26-00006-P	02/25/27	Epinephrine Devices	Removal of the phrase “epinephrine auto-injector” and replacement with “epinephrine device” pursuant to Chapter 502 of 2025.
EDU-12-26-00014-P	03/25/27	The Regulation of Complaints, Hearing Requests, and Hearing Requirements in Disciplinary Proceedings in the Professions.	To resolve the obsolete address issue by permitting offices to update forms without amending the regulation each time.
ELECTIONS, STATE BOARD OF			
SBE-04-26-00001-EP	01/28/27	Relates to reporting requirements of certain transactions within 24-hrs for participants in the Public Campaign Finance Program	Establishes requirements to prevent the improper payment of public matching funds
SBE-04-26-00002-EP	01/28/27	Adds clarification to the enforcement process, the administrative hearing process, and the assessing of penalties.	To assist in the enforcement of Election Law 14-209 in regards to participating committees
SBE-04-26-00003-EP	01/28/27	Special Rules for Candidates for Governor and Lieutenant Governor	Implements legislative changes regarding the manner in which candidates for Gov. and Lt. Gov. receive public campaign funds.
SBE-10-26-00002-EP	03/11/27	Providing conflict of interest regulations for local board of elections employees.	To ensure the bipartisan, standardized, transparent, application of conflicts of interest rules at boards of elections.
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
*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-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-49-25-00015-P	02/09/27	Amendments to CO2 budget trading program in NY.	Regulation of CO2 emissions from power plants in NY.
ENV-01-26-00022-P	01/07/27	Hunting with a crossbow	Removes regulations that are now obsolete and contradictory to recent changes in the Environmental Conservation Law.
ENV-03-26-00004-P	03/24/27	Atlantic Striped Bass commercial management.	To allow transfer of fish tags in the commercial Atlantic Striped Bass fishery.
ENV-06-26-00009-P	02/11/27	Coolwater Sportfishing Regulations	Coolwater sportfishing regulations must be amended to eliminate regulations no longer needed and protect vulnerable populations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-11-26-00004-P	03/18/27	deer hunting seasons, deer hunting tags, and archery equipment	to increase antlerless deer harvest and improve the Department's ability to manage abundant deer populations
ENV-12-26-00004-P	05/28/27	Amend the existing regulations to include changes needed based on recent statutory revisions.	To require larger generators of food waste to donate edible food and recycle food waste if facilities exist to manage.
ENV-16-26-00005-EP	04/22/27	Bluefish Recreational Fishing	To increase the recreational possession limits of Bluefish
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-09-26-00017-P	03/04/27	Consolidated rulemaking regarding peer-to-peer car sharing	To ensure consumers have appropriate insurance protection when using or operating a vehicle through a car sharing program.
DFS-14-26-00022-P	04/08/27	Agent Training Allowance Subsidies for Certain Life Insurance and Annuity Business	To liberalize agent eligibility requirements and adjust for inflation.
DFS-14-26-00023-P	04/08/27	Regulations Implementing the Comprehensive Motor Vehicle Insurance Reparation Act—Claims for Personal Injury Protection Benefits	Updates the prescribed No-Fault Denial of Claim NF-10 Form.
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-07-26-00005-P	02/18/27	Powerball game features.	To provide for operation of the Power Play and Double Play game features of the Powerball lottery draw game.
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-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-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.
HLT-51-25-00002-P	12/24/26	Licensure and Practice of Nursing Home Administration	Changes to a definition and standards of approval for the Licensure and Practice of Nursing Home Administration.

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HEALTH, DEPARTMENT OF			
HLT-51-25-00008-P	12/24/26	Certificates of Qualification for Clinical Laboratory Directors	To create two pathways for certificate of qualification in order to comply with federal rules for clinical laboratory directors.
HLT-51-25-00009-P	12/24/26	Clinical Laboratories	To provide clarification to requirements & standards & address the Department's need to update outdated provisions.
HLT-04-26-00005-P	01/28/27	Personal Care Services (PCS) and Consumer Directed Personal Care Services (CDPCS)	Allows Licensed Practical Nurses in addition to Registered Nurses to perform initial assessments for PCS & CDPCS in NYS Medicaid
HLT-07-26-00004-P	02/18/27	Chemical Analyses of Blood, Urine, Breath or Saliva for Alcoholic Content	To update, clarify, and simplify certain requirements.
HLT-09-26-00001-P	03/04/27	Standards for Tissue Banks and Nontransplant Anatomic Banks, and conforming changes.	Update to reflect current standards, practices & federal requirements; include additional protections for donors and recipients.
HLT-11-26-00001-P	03/18/27	Radiology Services	To define portable radiology as a type of mobile radiology.
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-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
LAW-04-26-00014-P	01/28/27	Price gouging	Define abnormal disruptions of the market arising from stress of weather and convulsions of nature.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
*LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff	To update the small generator interconnection procedures consistent with Public Service Commission guidance
*LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
*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-13-26-00006-P	..... exempt	Formula Rate and Implementing Protocols for Transmission Network Upgrades constructed/ owned by LIPA as a PPTN Designated Entity.	To adopt a formula rate and implementing protocols that will calculate an annual revenue requirement for PPTN network upgrades.
LPA-13-26-00007-P	..... exempt	Uniform Business Practices	To modify the UBP to align with recent changes to the PSC UBP.
LPA-13-26-00008-P	..... exempt	Small Generator Interconnection Procedures	LIPA Staff propose to modify the SGIP to implement certain NYS PSC Statewide Standardized Interconnection Requirements.
LPA-13-26-00009-P exempt	Electric Vehicle Phase-In Rates ("EVPIR") for behind-the-meter storage that is not paired with a distributed generator.	To allow customers with behind-the-meter storage that is not paired with a distributed generator to participate in its EVPIR.

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MENTAL HEALTH, OFFICE OF			
OMH-13-26-00002-P	04/01/27	Mental Health Outpatient Treatment and Rehabilitative Services (MHOTRS).	Provides increased flexibilities for MHOTRS and provides regulatory clarification.
MOTOR VEHICLES, DEPARTMENT OF			
MTV-08-26-00004-P	02/25/27	Approval of safety belts	Conform regulation to industry practice
MTV-09-26-00003-P	03/04/27	Drivers' Licenses - classifications, endorsements and restrictions	Adds a new "J" license endorsement for escort vehicle operation.
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
NFW-50-25-00003-EP	12/17/26	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-50-25-00004-EP	12/17/26	Clarifying what facilities OPWDD can designate an Intermediate Care Facility for Individuals with Intellectual Disabilities.	To allow specialty hospitals to be certified as an intermediate care facility for individuals with intellectual disabilities.
PDD-52-25-00001-P	12/31/26	Article 16 Clinic Services Eligibility	Clarify eligibility requirements for services at Article 16 clinics.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC EMPLOYMENT RELATIONS BOARD			
PRB-10-26-00001-P	03/11/27	Rules and Regulations to effectuate the Purposes of the Public Employees' Fair Employment Act (Civil Service Law Art. 14).	To streamline the Rules of Procedure governing proceedings brought under the Public Employees' Fair Employment Act.
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*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

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PUBLIC SERVICE COMMISSION			
*PSC-27-05-00018-P exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*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

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PUBLIC SERVICE COMMISSION			
*PSC-37-06-00017-P exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*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.

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PUBLIC SERVICE COMMISSION			
*PSC-45-07-00005-P exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

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

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

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

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

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

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PUBLIC SERVICE COMMISSION			
*PSC-22-11-00004-P exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework	To determine appropriate rules for and calculation of the distributed generation reliability credit
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs	To consider participation of NYPA customers in surcharge-funded clean energy programs
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks	To evaluate proposed methodologies of benefit-cost evaluation
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs	To authorize the use of escrow account funds for repairs
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades	To consider AEC's petition requesting resolution of their billing dispute with National Grid
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program	To consider TracFone's petition seeking approval to participate in Lifeline
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes	To consider NYAW's request to reconcile property taxes
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspirity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings	To reduce damage to underground utility facilities by requiring certain training and approving training curricula
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals
*PSC-04-19-00011-P	..... exempt	Update of revenue targets	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements	To insure the provision of safe and adequate energy service at just and reasonable rates
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations	To consider the terms and conditions applicable to gas service
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation	To determine if the proposed merger is in the public interest
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Conring 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
*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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-46-22-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-04-23-00008-P	..... exempt	Updates to guidance for electric utility Distributed System Implementation Plans (DSIPs)	Development of updated guidance and directives for utility DSIPs for improving utility planning and operations functions
*PSC-05-23-00001-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00002-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00009-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00012-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00014-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-05-23-00015-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects
*PSC-13-23-00022-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility	Consideration of a lightened regulatory regime for the owner of an approximately 150 MW energy storage facility
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-23-00006-P	..... exempt	A proposed methodology for annual greenhouse gas emissions inventory reporting	To consider whether the proposed Green House Gas Inventory Report will provide sufficient emissions information
*PSC-27-23-00013-P	..... exempt	The proposed Greenhouse Gas Emissions Reduction Pathways Study	To consider whether the proposed Study is sufficient and whether to proceed with the Study
*PSC-27-23-00015-P	..... exempt	The Tier 4 renewable energy certificate purchase and sale agreement modifications	To consider modification to the existing Tier 4 renewable energy certificate purchase and sale agreement
*PSC-29-23-00007-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
*PSC-31-23-00001-P	..... exempt	A petition for a special permit exemption from odorization requirements	To determine if the granting of the special permit is in the public interest
*PSC-34-23-00008-P	..... exempt	Proposed transfer of capital stock	To determine if the transfer of capital stock is in the public interest
*PSC-35-23-00007-P	..... exempt	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the Central Hudson service territory
*PSC-35-23-00011-P	..... exempt	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the National Grid service territory
*PSC-35-23-00015-P	..... exempt	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the NYSEG/RG&E service territories
*PSC-35-23-00020-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
*PSC-38-23-00002-P	..... exempt	Program-wide adjustments to renewable energy certificate contracts	To consider modification to existing renewable energy certificate contracts in light of increased project costs
*PSC-40-23-00029-P	..... exempt	The applicable regulatory regime for the owner/operator of an approximately 200 megawatt solar electric generating facility	Consideration of whether a requested lightened regulatory regime is in accordance with the Public Service Law and precedent
*PSC-41-23-00007-P	..... exempt	Gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-42-23-00011-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need for a natural gas pipeline	To determine whether the request for the transfer is consistent with the law and in the public interest
*PSC-42-23-00013-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-32-24-00030-P	..... exempt	Petition for the use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-32-24-00037-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-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-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-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-05-25-00017-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-08-25-00006-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-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-13-25-00005-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-17-25-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
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-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-21-25-00007-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-22-25-00004-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-25-25-00007-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-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-RP	..... 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-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-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-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-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-32-25-00004-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-33-25-00002-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-34-25-00006-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-34-25-00009-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.
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-36-25-00007-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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-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-39-25-00006-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-39-25-00010-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-42-25-00010-P	..... exempt	Petition to submeter electricity.	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-43-25-00003-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-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-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-49-25-00004-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-49-25-00013-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.
PSC-50-25-00005-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-50-25-00006-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-50-25-00007-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-50-25-00008-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-50-25-00009-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-51-25-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections, and energy efficiency improvements are in place.
PSC-51-25-00004-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To ensure adequate consumer and energy efficiency protections in case of individual metering requirement waiver.
PSC-51-25-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections, and energy efficiency improvements are in place.
PSC-51-25-00006-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-52-25-00002-P	..... exempt	The computation of certain components used to compensate Distributed Energy Resources (DERs).	To consider revisions to the Demand Reduction Value and Locational System Relief Value compensation elements for DERs.
PSC-52-25-00005-P	..... exempt	The appropriate regulatory regime for owning and operating electric plant, and commercial electric submetering.	To ensure appropriate regulation of an electric corporation.
PSC-52-25-00006-P	..... exempt	Deferral of incremental expenses beyond utility's control for future recovery in rates.	To determine the ratemaking treatment for Corning's incremental interest costs since base rates were last set by the Commission.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-25-00009-P	..... exempt	Copenhagen Hydroelectric project located in Copenhagen, New York.	To promote and maintain renewable electric energy resources.
PSC-52-25-00012-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-52-25-00014-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-01-26-00004-P	..... exempt	The November 13, 2025 Order Adopting Modifications to the Uniform Business Practices.	To consider the Retail Energy Supply Association's request for rehearing.
PSC-01-26-00005-P	..... exempt	The Troy 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 Troy Pilot Project.
PSC-01-26-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-01-26-00007-P	..... exempt	The November 13, 2025 Order Adopting Modifications to the Uniform Business Practices.	To consider the M&R Energy Resources Corp.'s request for rehearing.
PSC-01-26-00008-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-01-26-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-02-26-00003-P	..... exempt	Transfer in ownership of transmission interconnection facilities.	To determine if a transfer from New York Transco LLC to Consolidated Edison Company of New York, Inc. is in the public interest.
PSC-02-26-00005-P	..... exempt	A financing arrangement with respect to a proposed solar generating facility.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.
PSC-02-26-00006-P	..... exempt	Proposed transfer of gas plant and Certificates of Environmental Compatibility and Public Need, and lightened regulation.	To consider whether the proposed transfer is in the public interest, and to ensure appropriate regulation of gas corporations.
PSC-02-26-00007-P	..... exempt	Modification of monthly administrative fee charged to submetered tenants.	To ensure just and reasonable submetering charges and appropriate consumer protections.
PSC-03-26-00002-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 North Seneca Solar Project, LLC is consistent with the PSL.
PSC-04-26-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-04-26-00007-P	..... exempt	A debt financing arrangement with respect to electric generation facilities providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-04-26-00008-P	..... exempt	Notice of Intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-04-26-00009-P	..... exempt	Proposed major rate increase in Con Edison's annual revenues by approximately \$66 million.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-04-26-00010-P	..... exempt	A hearing on the Commission's obligations under the Renewable Energy Program.	To determine whether a hearing should be held to evaluate whether the Renewable Energy Program should be modified or suspended.
PSC-05-26-00001-P	..... exempt	The New York State Standardized Interconnection Requirements (SIRs).	To increase transparency in cost estimating by electric utilities under the Standardized Interconnection Requirements.
PSC-05-26-00002-P	..... exempt	Transfer of street lighting facilities to the Village of New Square.	To consider whether the transfer of street lighting facilities to the Village of New Square is in the public interest.
PSC-05-26-00003-P	..... exempt	Modification of headroom assessment methodology.	To consider improvements to provide stakeholders more actionable information on system limitations and available capacity.
PSC-05-26-00004-P	..... exempt	Hydro Development Group Acquisition, LLC, Halesboro 4 hydroelectric project located in Halesboro, New York.	To promote and maintain renewable electric energy resources.
PSC-05-26-00005-P	..... exempt	Hydro Development Group Acquisition, LLC, Halesboro 6 hydroelectric project located in Halesboro, New York.	To promote and maintain renewable electric energy resources.
PSC-05-26-00006-P	..... exempt	Hydro Development Group Acquisition, LLC, Halesboro 3 hydroelectric project located in Gouverneur, New York.	To promote and maintain renewable electric energy resources.
PSC-06-26-00011-P	..... exempt	Pyrites hydroelectric project located in Pyrites, New York.	To promote and maintain renewable electric energy resources.
PSC-06-26-00012-P	..... exempt	A debt financing arrangement with respect to a solar photovoltaic electric generation facility providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.
PSC-07-26-00001-P	..... exempt	A process for offering flexible interconnection service options.	To provide rules that ensure safe and adequate service at just and reasonable rates.
PSC-07-26-00002-P	..... exempt	A process for considering approval of specific meter socket adapter devices.	To provide rules that ensure safe and adequate service at just and reasonable rates.
PSC-07-26-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-08-26-00002-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-08-26-00003-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-09-26-00015-P	..... exempt	The rules and procedures for interconnecting energy storage facilities.	To ensure interconnection rules and procedures are just and reasonable and consistent with the public interest.
PSC-09-26-00016-P	..... exempt	Minor water rate filing to increase annual water revenues.	To ensure that the rates charged by a water company are just and reasonable.
PSC-10-26-00003-P	..... exempt	Petition dated February 6, 2026 for temporary waiver of 16 NYCRR Section 96.6(j) to provide bills within 30-days.	Whether to grant, deny or modify, in whole or in part, the temporary waiver requested in the petition.
PSC-10-26-00004-P	..... exempt	Petition dated February 6, 2026 for temporary waiver of 16 NYCRR Section 96.6(j) to provide bills within 30-days.	Whether to grant, deny or modify, in whole or in part, the temporary waiver requested in the petition.
PSC-10-26-00005-P	..... exempt	Petition dated February 6, 2026 for temporary waiver of 16 NYCRR Section 96.6(j) to provide bills within 30-days.	Whether to grant, deny or modify, in whole or in part, the temporary waiver requested in the petition.
PSC-10-26-00006-P	..... exempt	Petition dated February 6, 2026 for temporary waiver of 16 NYCRR Section 96.6(j) to provide bills within 30-days.	Whether to grant, deny or modify, in whole or in part, the temporary waiver requested in the petition.
PSC-10-26-00007-P	..... exempt	Rehearing of Commission Order.	To consider whether the the December 19, 2025 Order had errors of law or fact and to ensure safe and reliable water service.
PSC-11-26-00005-P	..... exempt	Petition to submeter electricity & waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-11-26-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-11-26-00007-P	..... exempt	Implementation of program rules for the Zero-Emission Credit program and a Master Contract for other programs.	To promote and maintain zero-emission electric energy resources.
PSC-11-26-00008-P	..... exempt	Petition to submeter electricity & waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-11-26-00009-P	..... exempt	Petition to submeter electricity & waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-11-26-00010-P	..... exempt	Proposed transfer of ownership interests in a natural gas fired electric generating facility.	To consider whether the proposed transfer is in the public interest.
PSC-11-26-00011-P	..... exempt	Financing approval for entities subject to lightened regulation.	To review the proposed financing and consider whether it is within the public interest.
PSC-12-26-00005-P	..... exempt	Petition to submeter electricity & waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-12-26-00006-P	..... exempt	Rehearing on Commission Order.	To consider whether the February 13, 2026 Order had errors of law or fact and to ensure safe and reliable electric service.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-12-26-00007-P	..... exempt	Approval of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-12-26-00008-P	..... exempt	Approval of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-12-26-00009-P	..... exempt	Approval of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-12-26-00010-P	..... exempt	Permanent waiver of P.S.C. No. 90 – Gas, § 10.I, the Dual Fuel Requirement, for a single applicant.	To ensure the requested waiver is reasonable and allows for the provision of safe and adequate service.
PSC-12-26-00011-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-12-26-00012-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-12-26-00013-P	..... exempt	EV Phase-In rates.	To ensure the EV Phase-In rates remain revenue-neutral.
PSC-12-26-00015-P	..... exempt	Petition to submeter electricity & waiver request	To ensure adequate submetering equipment, consumer protections, and energy efficiency improvements are in place
PSC-13-26-00003-P	..... exempt	Petition for authorization to reallocate funds.	To ensure the requested relief is reasonable and allows for the provision of safe and adequate service.
PSC-13-26-00004-P	..... exempt	Gas meter test standard.	To consider approval of the Model 6 transfer prover, with 2M and 10 M reference standard meters.
PSC-13-26-00005-P	..... exempt	Transfer of certain electric and gas facilities.	To determine whether the transfer of the electric and gas facilities is in the public interest.
PSC-15-26-00003-P	..... exempt	Pole attachment charges.	To provide pole attachment services at just and reasonable rates.
PSC-15-26-00004-P	..... exempt	Approval of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-15-26-00005-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-15-26-00006-P	..... 04/15/27	Billing requirements for gas, electric, steam, and water service.	To implement changes to billing requirements for gas, electric, steam, and water service.
PSC-16-26-00001-P	..... exempt	Approval of issuance of long-term debt and surcharge to collect debt service costs.	To ensure that the expenditures funded by the loan are reasonably required for the stated purpose, water system improvements.
PSC-16-26-00002-P	..... exempt	A debt financing arrangement related to the ownership of generation and transmission facilities providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-16-26-00003-P	..... exempt	Petition to submeter electricity & waiver requests.	To ensure adequate submetering equipment, consumer protections and energy efficiency improvements 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-11-26-00003-P	..... 03/18/27	Curriculum Update to Natural Hair Styling and Cosmetology Educational Standards.	To update course curricula for obtaining natural hair styling and cosmetology licenses.
STATE UNIVERSITY OF NEW YORK			
SUN-24-25-00006-RP	..... 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
*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-08-26-00001-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period April 1, 2026 through June 30, 2026.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-04-26-00011-P	..... 01/28/27	Hotel/motel facilities used as temporary housing placements for persons and families experiencing homelessness	See attached addendum
VICTIM SERVICES, OFFICE OF			
OVS-12-26-00003-P	..... 03/25/27	NYS Office of Victim Services (OVS) Victim Compensation Program and Victim Assistance Grants	To align OVS's rules and regulations with recent amendments to Article 22 of the Executive Law and enhance aid to crime victims.
WORKERS' COMPENSATION BOARD			
WCB-02-26-00001-P	..... 01/14/27	Medical Fee Schedules	To update the medical fee schedules used for treatment in workers' compensation claims.
WCB-03-26-00003-P	..... 01/21/27	Depositions	To update the deposition process.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-11-26-00002-P	..... 03/18/27	Temporary payments of compensation and medical treatment and care, including prescribed medicine under WCL 21-a	Conform regulation to the updates to WCL section 21-a taking effect 1/1/27 and provide clarity

REGULATORY AGENDA

New York State Gaming Commission

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

Pursuant to subdivision 1 of section 202-d of the State Administrative Procedure Act (SAPA), the Gaming Commission presents its regulatory agenda for calendar year 2026. All section and part references are to Title 9 of the New York Code of Rules and Regulations. As indicated in SAPA section 202-d(2), the Gaming Commission is not required to propose or adopt a rule listed on the regulatory agenda and may propose or adopt a rule that is not on the agenda. The Gaming Commission may add, delete or modify without further notice, except as required by the State Administrative Procedure Act, any item or information presented in this 2026 Regulatory Agenda.

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

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

Administration

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

Commercial Casinos

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

Horse Racing

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

Considering amendments concerning attending veterinarian examinations in Thoroughbred racing.

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

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

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

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

Lottery

Considering the repeal of rules governing the Cash 4 Life game, which is no longer offered.

Considering rules governing additional features for the Powerball game.

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

RULE REVIEW

New York State Gaming Commission

As required by section 207 of the State Administrative Procedure Act, the following is a list of rules adopted by the New York State Gaming Commission (including rule making of its legacy agencies, the Division of Lottery and the Racing and Wagering Board) in the calendar years 2021, 2016, 2011, 2006 and 2001, which must be reviewed in calendar year 2026. This list does not include rules that were adopted as consensus or emergency rules, or rules that have been largely amended or repealed. Public comment on the continuation or modification of these rules is invited and will be accepted until Monday, June 8, 2026. Comments may be submitted to Kristen M. Buckley, Acting Secretary of the New York State Gaming Commission, 354 Broadway Center, PO Box 7500, Schenectady, New York 12301-7500 or by electronic mail at gamingrules@gaming.ny.gov.

RULES ADOPTED IN 2021

Horse racing

SGC-40-20-00001 Veterinary Technicians.

The Commission adopted amendments to various Commission rules that would permit the supervised use of veterinarian technicians at New York racetracks. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 103(2), 104(1) and (19) and 301(1).

SGC-09-21-00011 Clenbuterol regulation.

The Commission adopted rules to restrict clenbuterol administrations to Thoroughbred horses in a manner that will prevent the misuse of the drug for performance enhancing effects. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 103(2) and 104(1) and (19).

SGC-09-21-00012 Thresholds for controlled therapeutic medications.

The Commission adopted rule amendments to conform Commission rules on thresholds for controlled therapeutic medications to national model rule amendments made by the Association of Racing Commissioners International, Inc. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 103(2), 104(1) and (19), 301(1) and (2) and 902(1).

SGC-09-21-00014 Lasix administrations on race day.

The Commission adopted rules to formalize practice that race-day furosemide (a/k/a Lasix) administration to race horses is provided by independent, third-party veterinarians who are not caring for the horses of a trainer or owner who participates at the race meeting. This rule is needed to promote health and safety of racehorses. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 103(2), 104(1) and (19) and 301(1) and (2).

Lottery

SGC-44-20-00012 Lottery couriers instant tickets.

The Commission adopted rules to allow licensed lottery courier services to purchase and deliver instant tickets to customers, in addition

to draw game tickets. The rule is needed to regulate such services. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 103(2), 104(1) and (19) and Tax Law sections 1601, 1604, 1605, 1607 and 1609.

Video lottery

SGC-29-21-00010 VLG marketing allowance and cross-reference update.

The Commission adopted amendments to the video lottery gaming regulations to reflect amendments to Tax Law 1612 concerning marketing allowances and capital awards for video lottery gaming agents. This rule is needed to make regulations consistent with statute. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 103(2), 104(1) and (19), and Tax Law section 1617-a.

Casinos

SGC-09-21-00013 Casino table games amendments.

The Commission adopted amendments to various casino table games regulations to improve operations, keep up with industry trends and enhance attractiveness to high-limit players. The amendments allowed for Local Area Progressive controllers to be implemented to coordinate the payment of a shared progressive jackpot between two or more table games at the same commercial casino; added chip denominations; clarified dealer options and patron wagering in a discrete wager offered in the game of blackjack; provided a non-generic optional wager of match-the-dealer and pay tables for the "Spanish 21" table game; added pay tables for the baccarat game dragon bonus wager; required a midi baccarat table to have a form of a discard rack; clarified the rules for optional bonus wagers and optional dragon bonus wagers in mini and midi baccarat games; re-organized certain definitions; and corrected a reference. This rule is needed to promote the attractiveness of casino gaming to patrons in a competitive market. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law sections 104(19), 1307(1), (2)(g), 1335(4), (5), (6) and (11).

SGC-35-21-00010 Mobile sports wagering and sports wagering at gaming facilities.

The Commission amended 9 NYCRR Part 5329 and added Part 5330 to adopt comprehensive rules to govern mobile sports wagering and related amendments to the regulations governing wagering in sports lounges at the licensed commercial casinos. The rules are needed for the effective regulation of sports wagering. The legal basis for the rule making is Racing, Pari-Mutuel Wagering and Breeding Law § § 104(19) and (24), 1307(1) and (2)(g), 1367(1)(aa), (2)(a) and (b), (4), (11), (12)(b), (e)(i), (g), (h), (i)(iv) and (j), and (13), 1367-a(4)(a)(ii), (iii), (xiv) and (xv), (h), (5)(a); and L. 2021, ch. 59, part Y, section 7.

Charitable gaming

SGC-09-21-00015 Regulation of Bingo.

This rule making amended 9 NYCRR § 4800.1 and Parts 4820, 4821 and 4823 and repealed 9 NYCRR § 4820.25, to enhance the regulation of bingo by harmonizing regulations with current statutory language. The rule making also limited the sale of bingo opportunities

to the same day of the occasion and prohibited presale; eliminated a prohibition on payment for bingo opportunity by check; clarified that a bonus ball in bingo must remain posted throughout all bingo games during such bingo occasion; increased the maximum number of electronic bingo aids allowed; and eliminated verbatim repetition of statute. The rule is needed for the effective regulation of bingo. The legal basis for the rule making is Executive Law § 425(1)(a) and (3); General Municipal Law § 495-a(2)(b)(ii); and Racing, Pari-Mutuel Wagering and Breeding Law § 104(19).

RULES ADOPTED IN 2016

Horse Racing

SGC-39-15-00005 Thoroughbred restricted time periods for DMSO and diclofenac.

This rulemaking amended 9 NYCRR § 4043.2(e) to permit non-topical administrations of dimethyl sulfide (DMSO) until 48 hours before a thoroughbred horse's next race. The rule is needed for consistency with previously adopted national thresholds for the substances. A similar amendment was adopted for diclofenac, which was repealed in 2020. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 122.

SGC-44-15-00019 Report required for gelded horses.

This rulemaking added 9 NYCRR §§ 4007.7 and 4106.10 to require trainers to report promptly when a horse has been gelded. The rule is needed so the betting public and potential claimants know of the changed condition of the horse before it races. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, and 301.

SGC-46-15-00004 Drug testing of claimed horses.

This rulemaking amended 9 NYCRR §§ 4038.5(a) and 4109.3(a) to remove the Commission's obligation to sample all claimed horses for drug testing and amended 9 NYCRR §§ 4038.17 and 4109.5 to require such sampling if the claimants request a test at their expense on their claim form. The rule is needed to allow the Commission more effective use of limited budgetary funds for equine drug testing. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 301 and 902.

SGC-46-15-00007 Multiple medication violation penalties.

This rulemaking added a new Part 4045 to 9 NYCRR to create a minimum supplemental penalty when a thoroughbred trainer accumulates certain levels of points based on severity and recency of equine drug violations, to support a national effort to impose license suspensions that will discourage recidivism. The rule does not prevent the Commission from applying its own penalty enhancements based upon prior equine drug violations and permits a corresponding waiver to avoid double jeopardy. The tabulation of points and the mandatory minimum penalties were amended in May 2019 to conform to national model rule changes. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 122.

SGC-48-15-00006 Per se thresholds for four substances; special penalty provisions.

This rulemaking amended 9 NYCRR §§ 4043.3 and 4120.3 to add Per Se thresholds for albuterol, cobalt and isoflupredone and lower the threshold for ketoprofen to match new national drug thresholds, which is needed for consistency with national equine drug thresholds. A new subdivision (c) was added to enhance penalties for findings of cobalt at high levels which indicate an intent to commit blood-doping; and to issue only a warning for first-time corticosteroid threshold violations incurred by thoroughbred trainers whose contemporaneous records show the administration occurred within the permissible time period for such treatments. The legal basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 301 and 902.

SGC-52-15-00007 Prohibiting the administration of stanozolol.

This rulemaking amended 9 NYCRR §§ 4043.15 and 4120.12 to remove stanozolol from the list of permitted anabolic steroids. When anabolic steroids were prohibited in racing horses, the Commission adopted thresholds for endogenous ones based on natural levels in untreated horses and also included stanozolol, which is not endogenous in a horse, because it could be found for several months based on lawful administrations before the rule was adopted. The rule is needed to

eliminate the permissive threshold for stanozolol because the detection time for previously lawful treatments has elapsed. The legal basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 301 and 902.

SGC-01-16-00006 Commission authority to implement Jockey Injury Compensation Fund plan.

This rulemaking added Part 4046 to 9 NYCRR to authorize the Commission to select an insurance carrier that the Jockey Injury Compensation Fund (JICF) must accept to provide a workers' compensation insurance benefit to jockeys and other thoroughbred riders if the JICF fails to submit a timely annual plan for coverage. This is needed to ensure that JICF's statutory duty to provide insurance coverage to such employees is met. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104 and 221.

SGC-07-16-00001 Cellular phones permitted in harness paddock.

This rulemaking amended 9 NYCRR § 4101.14 to make permanent that horsepersons in the harness paddock may use their cellular phones. The rule is needed to allow them to transact business and personal affairs while required to remain in the paddock until all their horses have raced. The statutory basis for this rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104 and 301.

SGC-07-16-00011 Thoroughbred pick-four, -five and -six wagers.

This rulemaking added 9 NYCRR § 4011.25 to establish a pick-five wager in thoroughbred racing, amended 9 NYCRR §§ 4011.23 and 4011.26 to make the rules for pick-four and pick-six wagers parallel the pick-five wager rules, and renumbered the pick-n (including WIN-3) wagers in serial order at §§ 4011.23 to 4011.26. The rules are needed to codify the pick-five wager, previously conducted by reference to provisions not stated in the Commission rules, and to simplify the administration of pick-n wagers. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103 and 104.

SGC-22-16-00004 Altering the use of hoppers.

This rulemaking amended 9 NYCRR §§ 4413.5 and 4117.3 to remove the requirement that a harness trainer must be granted permission by the judges or requalify when putting on or taking off hoppers without a prior performance line. The rule is needed because it is unnecessary to require the trainer to get permission from the judges since horses can change this equipment and the bettors can handicap this without difficulty. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 301.

SGC-22-16-00005 Decoupling harness horses in major races.

This rulemaking amended 9 NYCRR § 4111.15 to permit the uncoupling of harness horses with the same trainer but different owners in stakes races with a purse at least \$25,000, and to uncouple horses with common ownership in stakes races with a purse at least \$100,000. This rule is needed to increase the number of horses entered in such races and betting handle when the size of the purse and possibility of qualifying for another stage of the stakes program outweigh the risk of possible collusion. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 301.

SGC-37-16-00007 Continuing education for Thoroughbred trainers.

This rulemaking amended 9 NYCRR § 4002.8 to require thoroughbred trainers and assistant trainers, except for those who rarely participate in New York, to complete four hours of Commission-approved continuing education each calendar year to maintain license eligibility. The rule implements a national movement to enhance their competence. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103 and 104.

Horse Racing, Charitable Gaming and Lottery

SGC-12-16-00009 Sanctions for underage wagering.

This rulemaking amended 9 NYCRR §§ 4003.39, 4122.6, 4404.10, 4602.1, 4622.2, 4622.3, 5001.27, 5007.5, 5007.13, 5013.3 and 5117.1 to establish requirements and substantial penalties for racetracks, off-track betting branches, charitable organizations, lottery sales agents and video lottery facilities to prevent play by underage persons. The rules are needed to protect minors from possible harm from participating in wagering activities. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 108 and 116; Tax

Law §§ 1601, 1604, 1610 and 1612; and General Municipal Law §§ 195-a and 486.

Lottery

SGC-52-15-00005 Updates to Lottery subscription program.

This rulemaking amended 9 NYCRR §§ 5005.1 through 5005.8 of 9 NYCRR to reflect the use of electronic technology in the Commission's lottery subscription program. This is needed to include such electronic transactions, communications and accounts in the rules. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law § 104 and Tax Law §§ 1601, 1604 and 1612.

SGC-52-15-00006 Manner of paying lottery prizes.

This rulemaking amended 9 NYCRR § 5002.5 to authorize alternative means than checks to pay lottery prizes, such as a Commission-issued debit card. This rule is needed to add flexibility and consistency to the manner in which the Commission makes lottery prize payments. Section 5002.5 has been amended to add provisions for the means of payment of lottery prizes of \$600 or less to a courier customer. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law § 104 and Tax Law §§ 1601, 1604, 1612 and 1617.

SGC-52-15-00008 Suspension and revocation of lottery agent license.

This rulemaking amended 9 NYCRR § 5001.19 to codify the rules for the suspension or revocation of a lottery sales agent license based on poor sales, and the licensee's duty to surrender lottery equipment, tickets and other materials when suspended temporarily by the Commission. The rules provide clear guidance to lottery sales agents and encourage better performance of their duties and obligations. The statutory basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103 and 104 and Tax Law §§ 1601, 1604, 1605 and 1607.

Lottery and Casino Gaming

SGC-23-16-00014 Independent testing of gaming equipment.

This rulemaking added Part 5318 to 9 NYCRR to require that licensed gaming and video lottery facilities operate slot machines, video lottery gaming system or other gaming equipment only that has been certified by a Commission-approved independent testing laboratory to meet standards set forth in the rules. The rules are needed to promote the credibility and integrity of casino gaming in New York. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 1303, 1326 and 1335 and Tax Law § 1617-a.

Casino Gaming

SGC-12-16-00002 Problem gambling and patron self-exclusion.

This rulemaking added Parts 5325 and 5326 to 9 NYCRR and amended 9 NYCRR § 5301.1 to require that each gaming facility submit a problem gambler program including employee awareness training, report the casino's progress and results regularly to the Commission, and establish and advertise a process for individuals to be self-excluded from gaming activities. The rules are needed to protect individuals who are prone to problem gambling and to elevate the responsibility and reputation of the gaming facilities. Part 5326 has been repealed and replaced by a new Part 5402. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307, 1344, 1345, 1362 and 1363.

SGC-19-16-00013 Surveillance standards for gaming facilities.

This rulemaking added Part 5314 to 9 NYCRR to require that each gaming facility receive Commission approval for and implement a comprehensive video surveillance system that meets the industry best practices for equipment, training, operational independence and record retention. The rules are needed to assure transparent, credible and secure gaming operations. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1331.

SGC-28-16-00006 Patron exclusion by Commission from gaming facilities.

This rulemaking added Part 5327 to 9 NYCRR to establish the criteria and procedures for the patron exclusion program at each gaming facility through the creation and publication of a Commission list of excluded patrons, enforcement and compliance by the gaming facility, and a process for excluded patrons to seek redress. The rules are

needed to ensure that persons whose presence would be inimical to casino gaming in New York are excluded from the facilities. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1324.

SGC-28-16-00007 Definition of terms for casino gaming.

This rulemaking amended 9 NYCRR § 5300.1 to provide definitions for the terms used frequently in Subchapter B, Casino Gaming, of Chapter IV, Division of Gaming, of the Commission's rules (Subtitle T of 9 NYCRR). The rule simplifies the substantive rules in the Subchapter. The statutory basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104 and 1307.

SGC-28-16-00008 Regulation of table game equipment.

This rulemaking added Part 5322 to 9 NYCRR to regulate casino gaming table devices and chips with rules based on industry best practices for such equipment, including the dice, pai gow tiles, playing cards, and automated card shuffling and dealing devices, and for its inspection, use, storage and secure disposal. The rules are needed to promote the credibility and integrity of casino gaming in New York. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-28-16-00009 Regulation of junkets.

This rulemaking added Part 5308 to 9 NYCRR to require that a junket representative who works for the gaming facility be licensed as a casino key employee, and to establish for junket enterprises and other junket enterprise representatives a license category of ancillary casino vendor. The rules require the casino to file with the Commission all junket operator agreements and quarterly reports concerning the operation of any junket enterprise or representative engaged on its premises. The rules are needed to tightly and strictly regulate casinos, to prevent organized crime from any involvement in them, and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1328.

SGC-28-16-00010 Registration of casino labor organizations.

This rulemaking added Part 5310 to 9 NYCRR to require that officers, agents and principal employees of a labor union that represents casino employees register with the Commission, that the Commission shall not register those who fail to meet statutory registration criteria, and that the union must file biennial registration statements with the Commission. The rules are needed to fulfill the statutory directives related to such unions and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1330.

SGC-28-16-00011 Conduct of casino table games.

This rulemaking added Part 5323 to 9 NYCRR to set forth the practices and procedures that casinos must follow for the conduct and operation of table games to meet industry best practices for conducting table games, including a plan for table game staffing and a dealer training program. The rules are needed to tightly and strictly regulate casinos, to prevent organized crime from any involvement in them, and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-28-16-00012 Registration of casino lobbyists.

This rulemaking added Part 5309 to 9 NYCRR to provide specific licensing procedures and requirements for the registration of casino lobbyists. The rules are needed to tightly and strictly regulate casinos, to prevent organized crime from any involvement in them, and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1329.

SGC-32-16-00001 Casino license and registration applications.

This rulemaking amended Parts 5303 through 5307 of 9 NYCRR to update the information which is required for the license and registration applications filed by gaming facility employees and vendors, including in the process of reapplying after a denial or revocation, and to clarify the vendor license categories and vendors which do not need a license. The rules are needed to clarify and simplify the license and

registration application process for gaming facility employees and vendors. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307, 1322, 1323, 1325, 1326 and 1327.

SGC-37-16-00016 Accounting standards for casinos.

This rulemaking added Part 5315 to 9 NYCRR to establish specific financial and accounting controls and standards for casinos, including for internal audit departments, an annual independent audit, an online monitoring and control system, keeping accounting and financial records, and an anti-money laundering program. The rules are needed to fulfill the statutory directives related to internal controls, reporting, and accounting best practices and to assure public confidence and trust in the credibility and integrity of the casino industry. Section 5315.3 (gross gaming revenue tax) has been repealed. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307, 1334, 1351, 1353 and 1354.

SGC-37-16-00017 Conduct of casino electronic games and devices.

This rulemaking added Part 5321 to 9 NYCRR to set forth the practices and procedures that casinos shall follow for the conduct and operation of electronic gaming devices and equipment to meet industry best practices for possession, transport, approval of, off-premise storage, slot machine layout and density, live gaming device testing, remote access to internal controls systems, notification of the Commission of RAM clears, and other specific requirements for such games and devices. The rules are needed to tightly and strictly regulate casinos, to prevent organized crime from any involvement in them, and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-37-16-00018 Regulation of slot tournaments and progressive games.

This rulemaking added Part 5320 to 9 NYCRR to prescribe the technical standards for the certification of slot tournaments and progressive gaming devices. The rules are needed to ensure proper hardware, software and testing of tournament gaming devices and the technical competence of the progressive wagering and multi-site systems. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-37-16-00019 Rules for casino table games.

This rulemaking added Part 5324 to 9 NYCRR to set forth the rules applicable to all table games including card shuffling, opening a table for gaming and dealing methods. The rules set forth general provisions for each blackjack and table poker game and the rules and payout odds for all wheel games, baccarat, casino war, poker and poker room games, and tile and dice games such as craps and mini-craps. The rules are needed to ensure fair odds and consistency among the casinos for their patrons. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-37-16-00020 Standards for casino monitoring, control and validation systems.

This rulemaking added Part 5317 to 9 NYCRR to prescribe the technical standards for the operation and certification of online monitoring and control and validation systems at casinos. The rules are needed to fulfill the statutory directives related to the technical and testing standards for all gaming devices and associated equipment and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-37-16-00021 Standards for casino gaming devices.

This rulemaking added Part 5319 to 9 NYCRR to prescribe the technical standards for the operation and certification of casino gaming devices, e.g., for electrical and mechanical safeguards, circuit boards, video monitor and touch screens, random number generator specifications and tests. The rules are needed to fulfill the statutory directives related to the technical and testing standards for all gaming devices and associated equipment and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-37-16-00022 Practices and procedures for casino cages and counts.

This rulemaking added Part 5316 to 9 NYCRR to regulate the procedures for cage and count standards including standards and accounting controls for the cashiers' and satellite cages, count room characteristics, procedures for transporting and storing and counting the contents of drop boxes, secure delivery stations, and kiosk critical memory, error detection, voucher validation and issuance and redemption and other functions. The rules are needed to fulfill the statutory directives related to casino cages and counts and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

SGC-42-16-00002 Casino alcoholic beverage licenses.

This rulemaking added Part 5328 to 9 NYCRR to regulate the presence and sale of alcoholic beverages on the premises of casinos. The rules require casinos and their vendors who sell alcohol at the casino to obtain a license from the Commission. The rules establish application standards and requirements, the licensing criteria of the Commission, procedures related to the license, limitations on the service of alcohol to patrons, and procedures for special events and serving complimentary alcohol. The rules are needed to fulfill the statutory directives related to serving alcohol to patrons at casinos. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1340.

SGC-42-16-00003 Confidentiality of information and restrictions on employee wagering.

This rulemaking amended Part 5300 of 9 NYCRR to prescribe that the Commission post on its website its confidentiality restrictions concerning information disclosed by applicants, registrants or licensees; and to prohibit casino employees from wagering where they work or at any gaming facility that is owned or operated by the gaming facility that employs the employee or its affiliates. The rules are needed to fulfill the statutory directives related to information confidentiality and employee wagering and to assure public confidence and trust in the credibility and integrity of the casino industry. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1336.

SGC-42-16-00004 Casino electronic table games systems.

This rulemaking added 9 NYCRR §§ 5317.41 and 5319.60 to prescribe the technical standards for the testing and certification of electronic table games that operate independently from an external gaming system, including requiring application-level firewalls, Commission pre-approval of procedures for remote access, and disclosure of what cannot be met by manual intervention by a live dealer. The rules add communication protocols, system integrity, random number generation, maintenance of critical memory, and player interface terminal requirements for all electronic table games. The rules are needed to ensure that best industry practices are followed by casinos in New York. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 104, 1307 and 1335.

RULES ADOPTED IN 2011

Horse Racing

RWB-35-11-00002 Inspection of harness sulkies.

This rulemaking amended 9 NYCRR § 4116.10 to require that a harness sulky that has been involved in a training or racing accident will be removed from service until it has been inspected and cleared for use by its manufacturer or an authorized representative. This rule is needed to ensure the mechanical safety of sulkies in harness training and racing. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 301.

RWB-35-11-00006 Financial reporting for Thoroughbred horsepersons' organization.

This rulemaking amended 9 NYCRR § 4003.51 to change the filing deadline for the annual financial report of each thoroughbred horsepersons' organization from April 15 to 105 days following the end of its fiscal year. The rule is needed for organizations that do not use calendar year accounting. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 228 and 231.

RWB-35-11-00008 Advanced deposit wagering accounts.

This rulemaking amended 9 NYCRR § 5300.4 to permit electronic signatures for online applications to open an advanced deposit wagering account and to establish the requirements for verifying the identity of the account applicant. The rule is needed to make it easier to open such accounts and to allow New York State wagering facilities to compete with outside internet wagering sites. The legal basis for the rule is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 227, 301, 305, 401, 405, 520 and 1002.

Charitable Gaming

RWB-35-22-00003 Conduct of games of chance by non-domiciliary.

This rulemaking amended 9 NYCRR § 5306.11 to allow municipalities, in circumstances of hardship or necessity, to license an organization not domiciled within the municipality and to allow it to conduct charitable gaming at a location inside the territorial limits of the municipality. The rule is needed to allow licensed organizations which conduct bingo in another municipality to sell raffle and bell jar tickets at the bingo events. 9 NYCRR § 5306.11 has been renumbered § 4603.11. The legal basis for the rule is General Municipal Law § 188-a.

2006

Horse Racing

RWB-40-05-00001 Adjustments to restricted time periods.

This rulemaking amended 9 NYCRR §§ 4043.2 and 4120.2 of 9 NYCRR to reflect that the use of many substances governed by a general restricted time period of one-week before racing could be permitting closer to the horse's race, including a new 96-hour restricted time period to allow certain drugs to be administered closer to race time and permitting sulfa expectorants, omeprazole, cimetidine, ranitidine and sucralfate to be administered until 24 hours before racing. The rules are needed to more closely conform the restricted time periods to the medication needs of the horses and the effects of the substances on race integrity. Some restrictions have been changed since 2006 including the repeal of the rule permitting a non-steroidal anti-inflammatory drug until 24 hours before racing and changing the restricted time periods for clenbuterol and joint injections from 96-hours to 14 days before a horse's next thoroughbred race. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 301 and 902.

RWB-03-06-00007 Paying wager when horse obstructed in gate wins.

This rulemaking amended 9 NYCRR §§ 4009.21 and 4115.10 to permit winning wagers to be paid when a horse that was obstructed or interfered with at the start of the race, and could be declared a non-starter, wins the race notwithstanding its slow start from the starting gate. The rules are needed to pay winning wagers when the problem at the starting gate caused no harm to bettors. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 301.

RWB-06-06-000008 Increasing the number of races in parlay wagers.

This rulemaking amended 9 NYCRR §§ 4010.6 and 4122.28 of 9 NYCRR to increase from six to eight the number of races that may be offered in a parlay wager, a single bet where a bettor's winning wagers from a race are rolled into the next race's wager until the bet is lost or the bettor wins for correctly selecting all the races in the parlay. The rules are needed to allow the wager to be expanded to the limits of the totalizator system, which previously could not compute more than six races in a parlay wager. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104 and 235.

RWB-23-06-00007 Horsepersons' contract required for track license.

This rulemaking amended 9 NYCRR §§ 4003.13 and 4101.8 of 9 NYCRR to require that a racetrack have a contract with its horseperson organization before the Commission will assign race dates and approve its track license for the calendar year. The rules are needed to promote good faith negotiations between the racetracks and horseper-

son organizations to reach a contract agreement. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 205, 210, 248 and 307.

RWB-23-06-00008 Claiming of horses.

This rulemaking amended 9 NYCRR §§ 4038.1, 4038.4, 4038.6, 4038.17, 4038.19 and 4038.19 to change the thoroughbred claiming procedures to permit an owner who started in the previous race meet to be eligible to claim, to permit a claimed horse to compete at other New York racetracks during the 30 days after a claim, to restrict opening the claim box until the race is made official, to permit a claimant to void the claim based on a positive drug test result from the previous race which was unknown before the claiming race, and to make claims voidable based on misrepresentations of a horse's age or sex in the race program. Other amendments made by this rulemaking to Part 4038 of 9 NYCRR were subsequently amended or repealed. The statutory basis for the rules is Racing, Pari-Mutuel Wagering and Breeding Law §§ 103, 104, 205, 210 and 902.

Public Service Commission

NOTICE is hereby given that the Public Service Commission has reviewed the rules adopted in 2001, 2006, 2011, and 2021 as required by State Administrative Procedure Act § 207. No public comments were submitted regarding the review of the subject rules. The Commission has determined that the following rules will continue without modification:

1. 16 NYCRR Parts 10 and 255 (Case No. 20-G-0560).

a. Description of rules:

These 2021 amendments to Parts 10 and 255 provided updates to referenced materials in Part 10 and made changes to Part 255 related to pipeline safety; specifically, amendments were made to Sections 255.3, 255.9, 255.150, 255.230, 255.465(a), 255.483(d), 255.517(a), 255.604(a), 255.615(c), 255.616(j), 255.616(k), 255.619, 255.743, 255.801(c), 255.809(b), 255.817(c), 255.909(b), 255.917(a), 255.917(e), 255.921, 255.933(a), 255.935(b), 255.935(d), 255.937(c), 255.939, and 255.91(c); Section 255.67 was relocated to 255.69; Sections 255.4 and 255.949 were repealed; and Sections 255.5(g), 255.18, 255.67, 255.127, 255.205, 255.227(c), 255.285(f), 255.493, 255.506, 255.607, 255.619(e), 255.619(f), 255.624, 255.632, 255.705(c), 255.710, 255.712, 255.750, 255.921(i), and 255.937(d) were added.

b. Statutory Authority: PSL § 66.

c. Justification for Continuing without Modification:

These 2021 amendments align the Commission's regulations with federal regulations from the Pipeline and Hazardous Materials Safety Administration (PHMSA) and are necessary for the Commission to maintain its certification as a state pipeline safety program administrator.

2. 16 NYCRR Chapters I, II, III, IV, V, VI, VII, and VIII (Case No. 09-M-0544).

a. Description of rules:

These 2011 amendments adopted changes to Chapter I, Subchapters A, C, and G; Chapter II, Subchapters A and G; Chapter III, Subchapters A and G; Chapter IV, Subchapters C and G; Chapter V, Subchapters A and F; Chapter VI, Subchapters A, E, and F; Chapter VII, Subchapters C and D; and Chapter VIII, Subchapter B to establish electronic filing and service as the preferred method but allow paper filing in specific instances.

b. Statutory Authority: Public Service Law § 4(1), 5(2), 7(1), 16(1), 20(1).

c. Justification for Continuing without Modification:

These 2011 amendments improve Department efficiency in the receipt, processing, and issuance of documents while reducing reliance on paper.

3. 16 NYCRR Subpart 85-2 and Parts 86 and 88 (Case No. 06-M-1019).

a. Description of rules:

These 2006 amendments added a new § 85-2.9 to specify the information that must be contained in an application for an electric trans-

mission line in a National Interest Electric Transmission Corridor (NIETC) in order for that application to be considered “filed.” In addition, this section streamlined the review process by identifying those application requirements specific to portions of transmission lines that are proposed to be installed overhead, underground or underwater, thus avoiding the need to process a significant number of waiver requests. The amendments also clarified applicants’ obligations regarding substantive local legal provisions and transmission system studies.

b. Statutory Authority: PSL § 4(1), 20(1), 122 (1)(f).

c. Justification for Continuing without Modification:

The rules address the impacts of electricity transmission limitations in New York State by speeding up the application process for NIETC projects. They precisely specify the information required on an application to install an electric transmission line, thus enabling the Public Service Commission to act on the proposed project within a year. The end result of quick approval of energy transmission projects is enhancement of transmission capacity, which furthers reliability and national security interests.

4. 16 NYCRR Part 93 (Case No. 99-E-1691).

a. Description of rules:

The 2001 amendments to Part 93 allow energy services companies or competitive meter service providers subject to Commission consumer services protection and oversight to request meter approval without utility sponsorship.

b. Statutory Authority: Public Service Law § 67(4).

c. Justification for Continuing without Modification:

The 2001 amendments to Part 93 open metering services to competition and expand customer choice. Only meters approved by the Commission and in conformance with the American National Standard Code for Electric Metering (ANSI C12) can be used for customer billing and the regulations require notification to the Commission of any modifications to previously approved meters.

5. 16 NYCRR Part 753 (Case No. 99-M-1624).

a. Description of rules:

The 2001 amendments to 16 NYCRR Part 753 adopted Subpart 6, which includes enforcement procedures for violations of Part 753, which concerns the protection of underground utility infrastructure.

b. Statutory Authority: Public Service Law § 119-b and General Business Law Article 36.

c. Justification for Continuing without Modification:

The 2001 amendments to Part 753 set forth the process the Commission follows to address violations of Part 753 and should continue without modification.

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

Greenville 28, LLC
223 Randall St., Greenville, SC 29609
State or country in which incorporated — South Carolina

NexPoint Marina, DST
300 Crescent Court, Suite 700, Dallas, TX 75201
State or country in which incorporated — Delaware

Origin Nona, DST
121 W. Wacker Dr., Suite 1000, Chicago, IL 60601
State or country in which incorporated — Delaware

PW Deerfield Investors, LLC
489 S. Jordon Pwky, Suite 218, South Jordan, UT 84095
State or country in which incorporated — Delaware

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE/PROVIDE ROOFS/WINDOWS/EXTERIOR REPAIRS Bedford Hills Correctional Facility Bedford Hills, Westchester County

Sealed bids for Project Nos. M3167-C, comprising separate contracts for Construction Work, Replace Roofs & Windows & Provide Exterior Repairs, Buildings 19 & 37, Bedford Hills Correctional Facility, 247 Harris Road, Bedford Hills (Westchester County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, April 29, 2026, 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 \$280,200 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$11,000,000 and \$12,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Megan Whaley, 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 \$1,737,918 or less, adjusted annually for inflation as of March 1, 2026. If more than one responsible and reliable

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

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

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

The substantial completion date for this project is 1,094 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on April 16, 2026, at Bedford Hills Correctional Facility, 247 Harris Road, Bedford Hills, 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 Alex Melito (914-666-0889) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 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 C trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

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

By OGS - Design & Construction Group

REPLACE ROOF

Department of Transportation Region 6
West Almond, Allegany County

Sealed bids for Project No. Q1838-C, comprising of a contract for Construction Work, Replace Roof, Salt Building, DOT Region 6, Allegany County, 2525 County Road 2, West Almond (Allegany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, May 13, 2026, 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 \$24,800 for C).

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

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Megan Whaley, 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 \$1,737,918 or less, adjusted annually for inflation as of March 1, 2026. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 170 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on April 30, 2026, at West Almond DOT, 2525 County Road 2, West Almond, 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 Vicki Thielges (585-658-2956) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

**PROVIDE
PARKING LOT**
Upstate Correctional Facility
Malone, Franklin County

Sealed bids for Project No. 47793-C, comprising of a contract for Construction Work, Provide Parking Lot, Upstate Correctional Facility, 309 Bare Hill Rd., Malone (Franklin County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, May 6, 2026, 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 \$47,600 for C).

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

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Megan Whaley, 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 \$1,737,918 or less, adjusted annually for inflation as of March 1, 2026. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 363 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 p.m. on April 23, 2026, at Upstate Correctional Facility, 309 Bare Hill Rd, Malone, 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 James Glover (518-807-4538) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Environmental Facilities Corporation
625 Broadway
Albany, NY 12207-2997

MUNICIPALITIES, PRIVATE ENTITIES, STATE AGENCIES,
SOIL AND WATER CONSERVATION DISTRICTS, PUBLICLY-
OWNED TREATMENT WORKS

Green Innovation Grant Program (GIGP); Green Resiliency Grant (GRG) Program

Green Innovation Grant Program (GIGP) – \$15 Million Available

The New York State Environmental Facilities Corporation (EFC) will offer grants for eligible projects that improve water quality and utilize green practices to improve resiliency for protection of existing infrastructure through the Green Innovation Grant Program (GIGP). This grant funding is made available through the Clean Water State Revolving Fund (CWSRF).

GIGP awards are made on a competitive basis to projects that will implement green practices in one of the following Green Categories:

- Green Stormwater Infrastructure
- Energy Efficiency
- Water Efficiency

The GIGP may fund between 50 and 90 percent of eligible project costs, up to a maximum of \$3 million per project.

Eligible applicants are determined based on the application category and include the following:

- Green Stormwater Infrastructure: Municipalities, Private Entities, State Agencies, and Soil and Water Conservation Districts
- Energy Efficiency: Publicly-Owned Treatment Works (POTWs)
- Water Efficiency: Municipalities

Additional information on the GIGP, including the Program Summary, can be found on EFC's website at: <https://www.efc.ny.gov/GIGP>.

Green Resiliency Grant (GRG) Program – \$60 Million Available

The EFC will offer grants for eligible projects that improve water quality and mitigate the effects of extreme weather through the Green Resiliency Grant (GRG) program. This grant funding is made available through the Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022 (Bond Act).

GRG awards are made on a competitive basis to transformative stormwater management projects that protect homes, businesses, and public infrastructure throughout New York State while advancing long-term community resilience. Eligible projects combine green and gray infrastructure for holistic stormwater solutions that effectively and sustainably (1) manage runoff from extreme weather events to reduce flood risk and improve water quality; and (2) prioritize community resilience and equitable access to ensure infrastructure investments provide reliable benefits to all residents, particularly vulnerable populations.

The GRG program may fund up to 90 percent of eligible project costs with grants ranging from a minimum of \$1 million to a maximum of \$10 million per project.

Eligible applicants include Municipalities and State Entities as defined by NYS Environmental Conservation Law Article 58.

Additional information on the GRG program, including the Program Summary, can be found on EFC's website at: <https://www.efc.ny.gov/GRG>.

Application Due Date:

New beginning this year, EFC has implemented a combined application for both programs. The joint application will be available through EFC's Customer Portal at <https://portal.efc.ny.gov> starting Wednesday, April 22, 2026 and must be submitted by Friday, June 12, 2026 at 4:00 P.M. Supporting documentation is required for each application. Applicants are strongly encouraged to review all requirements and submit applications to EFC well before the deadline to avoid any last-minute issues.

Webinar:

An informational webinar will be held on Wednesday, May 6, 2026 to provide an overview of GIGP and GRG requirements and the application process. Details and registration information will be available on EFC's website.

Primary Contact: Karyn Hanson, Environmental Facilities Corporation, 625 Broadway, Albany, NY 12207-2997, (518) 402-7396

Division of Homeland Security and Emergency Services

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

STATE AGENCIES, LOCAL GOVERNMENTS, INDIAN TRIBAL GOVERNMENTS

Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) FY 2024-2025 Funding Opportunity CFDA 97.047

Important Information

Key Dates and Deadlines

Date of FEMA Announcement:	3/25/2026
FEMA GO Application Period Opens:	3/25/2026
Subapplication Submission Deadline (thru FEMA GO):	5/22/2026
DHSES Submission Deadline to FEMA:	7/23/2026 at 3PM (EST)

Upcoming Webinars will be posted here: <https://www.dhSES.ny.gov/hazard-mitigation>

Eligible Subapplicants include:

- State Agencies
- Local Governments
- Indian Tribal Governments (may also apply directly to FEMA as Applicants)

Individuals, businesses, and non-profit organizations are not eligible to apply for Hazard Mitigation Assistance funds; however, an eligible Subapplicant may apply on behalf of individuals, businesses, and non-profit organizations.

> Subapplicants must have a FEMA-approved Local Hazard Mit-

igation Plan at both the time of FEMA’s deadline (Date of DHSES submission deadline to FEMA) and at the time of obligation of grant funds.

> Subapplicants are to proceed directly to subapplication development in FEMA GO. Please contact DHSES if you have any questions about project eligibility or requirements.

- o Email: HazardMitigation@dhses.ny.gov
- o Phone: (518) 292-2304

Please thoroughly review the FEMA Notice of Funding Opportunity (NOFO) as it includes significant program changes and new terms and conditions.

Fraud, waste, abuse, mismanagement, and other criminal or non-criminal misconduct related to this program may be reported to the Office of Inspector General (OIG) Hotline. The toll-free numbers to call are 1 (800) 323-8603 and TTY 1 (844) 889-4357.

1. Basic Information

A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Resilience, Hazard Mitigation Directorate, Hazard Mitigation Assistance Division (HMA)
B. NOFO Title	Building Resilient Infrastructure and Communities
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-25-MT-047-00-98
E. Assistance Listing Number	97.047
F. Expected Total Funding	<p>Available Funding for the NOFO: \$1,000,000,000</p> <ul style="list-style-type: none"> • State/Territory Allocation Subtotal: \$112,000,000 • Tribal Set-Aside Subtotal: \$50,000,000 • State/Territory Building Code Plus-Up Subtotal: \$56,000,000 • Tribal Building Code Plus-Up Subtotal: \$25,000,000 • National Competition Subtotal: \$757,000,000 <p>An applicant may not receive more than 15% of the total available funding announced in this funding opportunity. The 15% cap will include the combined total of all funding category requests (i.e., Management Costs, State/Territory Allocation, Tribal Set-Aside, Building Code Plus-Up and National Competition).</p> <p>State/Territory Maximum Allocation & Activity Caps: \$2,000,000</p> <ul style="list-style-type: none"> • The maximum allocation for a state or territory under this category is \$2,000,000, covering all activities/projects, including management costs. • Each state/territory may apply for up to \$2,000,000 in the State/Territory Allocation. The State/Territory Allocation may be used for capability- and capacity-building activities that are directly tied to infrastructure, such as building code adoption and enforcement and/or hazard mitigation projects. Hazard Mitigation Plan development or updates, and other project scoping activities not directly supporting infrastructure are not eligible.

- The combined cost for all eligible activities under the State/Territory Allocation must not exceed \$2,000,000 federal cost share per applicant. Additionally, the applicant’s highest ranked subapplication for the State/Territory Allocation must not exceed \$2,000,000 federal cost share.

- Up to 10% of any subapplication may be used for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) only if these activities are directly related to an eligible infrastructure project or building code activity.

Tribal Set-Aside Activity Caps
\$50,000,000

- The combined cost for capability- and capacity-building activities under the Tribal Set-Aside must not exceed \$2,000,000 federal cost share per applicant. Additionally, the applicant’s highest ranked subapplication for the Tribal Set-Aside must not exceed \$2,000,000 federal cost share.

- Up to 10% of any subapplication may be used for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) only if these activities are directly related to an eligible infrastructure project or building code activity.

- In the event that more than \$50,000,000 in subapplications is submitted under the Tribal Set-Aside, the capability- and capacity-building activities and highest-ranked hazard mitigation project subapplications up to \$50,000,000 will be selected. Once the \$50,000,000 is selected, all remaining tribal hazard mitigation project subapplications will be evaluated under the National Competition.

State/Territory Building Code Plus-Up
\$1,000,000

- The maximum allocation for a state or territory under this category is \$1,000,000, to carry out eligible building code adoption and enforcement activities such as

- o Evaluate adoption and/or implementation of codes that reduce risk
- o Enhance existing adopted codes to incorporate more current requirements or higher standards (excluding construction)

- o Develop professional workforce capabilities relating to building codes through technical assistance and training

- Activities under this category should enable the adoption and enforcement of current or next most recent hazard-resistant consensus-based model building codes such as the International Building Code (IBC) and the International Residential Code (IRC) published by the International Code Council (ICC), either through Mandatory State-Wide or Territory Building Code Adoption Requirement or via Local Code Adoption Requirement (2021 or 2024 versions of IBC and IRC). For any consensus-based codes, specifications or standards used to carry out these activities, the two most recently published editions may be used.

- Building Code Plus-Up funds may only be applied to eligible building code activities and may not be used for other BRIC eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.

Tribal Building Code Plus-Up
\$25,000,000

- The maximum total selection for the Tribal Building Code Plus-Up is \$25,000,000, to carry out eligible building code adoption and enforcement activities such as

- o Evaluate adoption and/or implementation of codes that reduce risk

- o Enhance existing adopted codes to incorporate more current requirements or higher standards (excluding construction)

- o Develop professional workforce capabilities relating to building codes through technical assistance and training

- Activities under this category should enable the adoption and enforcement of current or next most recent hazard-resistant consensus-based model building codes such as the International Building Code (IBC) and the International Residential Code (IRC) published by the International Code Council (ICC), either through Mandatory State-Wide or Territory Building Code Adoption Requirement or via Local Code Adoption Requirement (2021 or 2024 versions of IBC and IRC). For any consensus-based codes, specifications or standards used to carry out these activities, the two most recently published editions may be used.

- Building Code Plus-Up funds may only be applied to eligible building code activities and may not be used for other BRIC eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.

National Competition Cap \$20,000,000

Applicants may submit an unlimited number of hazard mitigation project subapplications, each valued up to \$20,000,000 federal share, to the National Competition. FEMA will commit to reviewing two times the total value of the National Competition.

G. Anticipated Number of Awards	Varies based on funding availability
H. Expected Award Range	See “Expected Total Funding” subsection
I. Projected Application Start Date	03/25/2026 03:00 p.m. Eastern Time (ET)
J. Projected Application End Date	07/23/2026 03:00 p.m. Eastern Time (ET)
K. Anticipated Funding Selection Date	Will vary by award
L. Anticipated Award Date	Will vary by award
M. Projected Period of Performance Start Date	Will vary by award
N. Projected Period of Performance End Date	36 months from date of the award unless otherwise specified by FEMA. Any subsequent amendments to the federal award will not extend the Period of Performance (POP) unless explicitly stated.

O. Executive Summary

The Building Resilient Infrastructure and Communities (BRIC) grant program makes federal funds available for hazard mitigation activities with the goal of lowering future disaster costs. It does so with a recognition of the need to upgrade and modernize the nation’s infrastructure against natural weather disasters, and of the need for natural hazard risk mitigation activities and resilience with respect to those hazards.

P. Agency Contact

a. Program Office Contact

General questions about the BRIC program can be directed to the appropriate FEMA Regional Office or State Hazard Mitigation Officer.

Tribal nations can find their Regional Tribal Liaison email at the Federally Recognized Tribes webpage. Tribal nations with land that crosses multiple FEMA regions should work with the region in which their tribal headquarters is located; that will be their primary region of support.

The HMA Helpline is available by email fema-hmahelpline@fema.dhs.gov

For questions about cost-effectiveness and FEMA’s Benefit Cost Analysis (BCA) software, contact the BC Helpline by email BCHelpline@fema.dhs.gov

The Building Science Helpline is available for guidance on FEMA Building Science publications by email FEMA-BuildingScienceHelp@fema.dhs.gov

A helpline for guidance on FEMA Safe Room publications is available by email FEMA-BuildingScienceHelp@fema.dhs.gov

FEMA publications that specify the documentation and information necessary for FEMA to review project applications for feasibility and effectiveness, cost-effectiveness, and potential impacts on environmental and cultural resources are available on the FEMA website at <https://www.fema.gov/grants/guidance-tools>

b. FEMA Grants News

This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. FEMA Grants News Team is reachable at fema-grants-news@fema.dhs.gov OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.

c. Grant Programs Directorate (GPD) Award Administration Division

GPD’s Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at ASK-GMD@fema.dhs.gov

d. FEMA Regional Offices

FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at <https://www.fema.gov/fema-regional-contacts>

e. Civil Rights

Consistent with Executive Order 14173, Ending Illegal Discrimination & Restoring Merit-Based Opportunity, the FEMA Integration and Coordination Division is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov

f. Environmental Planning and Historic Preservation

The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to FEMA-OEHP-NOFOQuestions@fema.dhs.gov

g. Payment and Reporting System

FEMA uses FEMA Grants Outcomes (FEMA GO) for financial reporting, invoicing, and tracking payments. The Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment is used for recipients. For any questions about the system, contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET

h. FEMA GO

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.

i. FEMA Preparedness Toolkit

The FEMA Preparedness Toolkit (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provides a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov

2. Eligibility

A. Eligible Entities/Entity Types

Only the following entities or entity types are eligible to apply.

a. Applicants

- States
- District of Columbia
- U.S. Territories
- Federally recognized Tribal Nations

Each state, territory, the District of Columbia, and federally recognized Tribal nations shall designate an agency of their choice to serve as the applicant for BRIC funding. The designee is strongly encouraged to conduct outreach prior to and during the application process with communities vulnerable to natural hazard risks, including federally recognized Tribal nations, tribal entities, and small impoverished communities. Each applicant’s designated agency may submit only one BRIC grant application to FEMA.

b. Subapplicants

Subapplicants and subawards are allowed.

- Communities
- Local governments
- Cities
- Townships
- Counties
- Special district governments
- Tribal Nations (including federally

recognized Tribal Nations who choose to apply as subapplicants). Federally recognized Tribal Nations who wish to apply as subapplicants rather than as applicants directly to FEMA, must submit to their applicant agency.

Subapplications under which two or more entities would carry out the award are eligible, such as a multi-state or multi-tribal initiative; however, only one entity may be the subapplicant with primary responsibility for carrying out the subaward.

Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statues, polices, and procedures including “staff American, stay in America” and security requirements.

B. Project Type Eligibility

a. Allowable Project Types
For the purposes of this NOFO, “infrastructure” means critical physical structures, facilities, and systems that provide support to a community, its population, and its economy. This includes natural systems.
“Directly supporting infrastructure” means activities that have a clear, immediate, and primary purpose of improving, protecting, or enabling the construction, resilience, or operation of critical infrastructure systems (such as transportation, utilities, water, wastewater, communications, public buildings, or other critical facilities).

- Capability- and Capacity-Building Activities – activities that directly support infrastructure resilience, such as the adoption, enforcement, and implementation of hazard-resistant building codes. Only capability and capacity-building activities that are directly tied to infrastructure projects such as building code adoption/enforcement, related technical training and project scoping activities for specific infrastructure are eligible. Hazard Mitigation Plan development or updates, and project scoping activities not directly supporting a specific infrastructure project are not eligible under BRIC.

- Hazard Mitigation Projects – cost-effective infrastructure and 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 (including natural systems) from a multitude of natural hazards, including drought, wildfire, earthquakes, and the effects of natural weather disasters. Only infrastructure and construction projects that have, at a minimum, a conceptual design are eligible; phased projects are not eligible.

- Management Costs – financial assistance to reimburse the recipient and subrecipient for eligible and reasonable indirect costs, direct administrative costs, and other administrative expenses associated with a specific hazard mitigation measure or project subject to applicable cost share requirements.

C. Requirements for Personnel, Partners, and Other Parties

Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including “staff American, stay in America” and security requirements. Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval.

D. Maximum Number of Applications

Not applicable.

E. Additional Restrictions

Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures. All activities under BRIC must be in conformance with all criteria established by FEMA that are specific to the proposed activity, found in the HMA Guide. All activities under BRIC must be in conformance with all applicable federal, state, tribal, local floodplain and land use laws, as well as aligned with the current administration and program priorities and policy factors.

F. References for Eligibility Factors within the NOFO

Please see the following references provided below:

1. “Application Review Information” subsection
2. “Financial Integrity Criteria” subsection
3. “Supplemental Financial Integrity Criteria and Review” subsection
4. FEMA may/will request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone prospered, including subrecipients.

G. Cost Sharing Requirement

- 75% federal and 25% non-federal.
- 90% federal and 10% non-federal for small impoverished communities.
- 100% federal and 0% for insular areas when the non-federal cost share for the entire award is under \$200,000.

H. Cost Share Description, Type and Restrictions

Cost share is required for all subapplications funded under this program. Generally, the cost share for this program is 75% federal / 25% non-federal.

The non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof. Cash and third-party in-kind matches must consist of eligible costs (i.e., same eligibility as the federal share). Applicants cannot apply other federal award funds toward the BRIC non-federal cost share unless the other federal statutory authority allows the funds to be used to meet cost share requirements. Refer to the HMA Cost Share Guide for more information. FEMA encourages innovative use of public and private-sector partnerships to meet the non-federal cost share.

BRIC funding cannot be used as matching funds for another federal award. Additionally, third-party in-kind matches used to meet the matching requirement may not be used to meet matching requirements for any other federal program.

Small Impoverished Communities

Small impoverished communities as defined at 42 U.S.C. § 5133(a) meeting the following criteria are eligible for an increase in cost share up to 90% federal / 10% non-federal:

- of 3,000 or fewer individuals identified by the applicant
- that is economically disadvantaged, with residents having an average per capita annual income not exceeding 80% of the national per capita income, based on the best available data.

The following entities, having met all other eligibility requirements as detailed in “Participant Eligibility” subsection of this funding opportunity, may work in collaboration with a small impoverished community to build, and submit a subapplication on their behalf: (1) applicants; or (2) local government subapplicants, including a school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a non-profit corporation under state law), regional or interstate government entity, or agency or instrumentality of a local government. An applicant or subapplicant applying on behalf of a small impoverished community must include as part of the subapplication a letter authorizing the submission. There is no required format for the authorizing letter, but it should contain the following information:

- Point of contact information, including a name, community, address, phone number, and email for the small impoverished community and the applicant or subapplicant applying on their behalf.
- A signature from an authorized representative of the small impoverished community.

An applicant or subapplicant applying on behalf of a small impoverished community will be eligible to receive up to a 90% federal cost share and is eligible for points in Evaluation Criteria for National Competition.

Applicants and subapplicants who apply as a small impoverished community, or applicants and subapplicants who apply on behalf of one, must request the increased federal cost share amount in the Cost Share section of their subapplication(s). Applicants must ensure the “Community” and “Location” sections correctly identify the small impoverished community. Applicants must certify subapplicants’ small impoverished community status and provide documentation with the subapplication(s) to justify the increased federal cost share. If documentation is not submitted with the subapplication, then FEMA will provide no more than 75% federal cost share of the total eligible costs.

Federally recognized Tribal Nations meeting the definition of a small impoverished community that apply to FEMA directly as applicants are eligible for a 90% federal cost share for their subapplications, which make up their overall BRIC grant application.

Insular Areas

For insular areas, including American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands, FEMA automatically waives the non-federal cost share for the recipient when the non-federal cost share for the entire award is under \$200,000. If the non-federal cost share for the entire award is \$200,000 or greater, FEMA may waive all or part of the non-federal cost share at the request of the recipient. The recipient may request the waiver in its application.

I. Cost Sharing Calculation Example

If the total cost of the activity is \$400,000 and the non-federal cost share is 25%, then the non-federal contribution is \$100,000 (25% of \$400,000 is \$100,000). This amount would be provided by the applicant. Likewise, the federal share of that activity would be \$300,000 (75% of \$400,000 is \$300,000). This amount would be provided by FEMA.

J. Required information for verifying Cost Share

Ultimately, the recipient is responsible for ensuring that it contributes the proper cost share to its actual project costs. If actual total project costs exceed the projected total project costs stated in the federal award, the recipient will not receive any additional federal funding and will be responsible for contributing additional funds above the required cost match. If actual total project costs are less than the projected total project costs stated in the federal award, the recipient will be responsible for contributing a cost match calculated as a percentage of those actual project costs. For more information and examples on cost share see the HMA Cost Share Guide.

3. Program Description

A. Background, Program Purpose, and Program History

Section 203(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. § 5133[b]), authorizes FEMA to “provide technical and financial assistance to States and local governments to assist in the implementation of predisaster hazard mitigation measures that are cost-effective and are designed to reduce injuries, loss of life, and damage and destruction of property, including damage to critical services and facilities under the jurisdiction of the States or local governments.”

The Building Resilient Infrastructure and Communities (BRIC) grant program makes federal funds available to states, U.S. territories, federally recognized Tribal nations¹, and local governments for hazard mitigation activities. It does so by recognizing the need to upgrade and modernize the nation’s infrastructure against the growing risks to communities and the need for natural hazard risk mitigation activities that promote resilience with respect to natural hazards.

Certain awards made under this funding opportunity may be funded, in whole or in part, by the Infrastructure Investment and Jobs Act (IIJA). The IIJA appropriates billions of dollars to FEMA to promote resilient infrastructure, respond to the impacts of natural weather disasters, and equip our nation with the resources to combat its most pressing natural hazard threats.

B. Goals and Objectives

BRIC aims to shift the focus of federal investments away from reactive post-disaster spending towards proactive infrastructure-focused hazard mitigation. For this funding opportunity, the program prioritizes investment in infrastructure and construction projects that deliver immediate, measurable risk reduction to communities vulnerable to natural hazards. BRIC emphasizes the adoption and enforcement of modern building codes and limits capability- and capacity-building activities to those directly tied to infrastructure resilience, such as building code adoption and enforcement.

By prioritizing investment in construction projects that are ready to implement and increasing geographic distribution of hazard mitigation investments, BRIC aims to accelerate and improve nationwide project delivery. For this funding opportunity, the program caps single project and per applicant funding amounts to distribute investments and prioritizes selection of new applicants and subapplicants as well as small impoverished communities in the National Competition.

BRIC maximizes state and local responsibility for resilience by focusing federal resources on projects that directly support infrastructure and risk reduction rather than investing in a wide range of activities.

These critical investments aim to reduce future disaster losses, loss of life, property, and future spending from the Disaster Relief Fund (DRF). BRIC focuses on cost-effective hazard mitigation measures focused on protecting public infrastructure so that critical services can withstand or more rapidly recover from future disasters. The program is designed to deliver expeditious, measurable risk reduction and to ensure that investments address the nation's most pressing hazard mitigation needs.

C. Program Rationale

The BRIC program prioritizes investments in infrastructure and construction projects that deliver immediate, measurable risk reduction to public infrastructure and communities vulnerable to natural hazards. The program's primary focus is on supporting projects ready for implementation and incentivizing the adoption and enforcement of the latest published editions of hazard-resistant building codes.

FEMA recognizes that the adoption and enforcement of modern building codes, specifications, and standards provide significant resilience benefits. Accordingly, BRIC dedicates additional funds through State/Territory and Tribal Building Code Plus-Up allocations to carry out eligible building code adoption and enforcement activities.

D. Federal Assistance Type Grant

E. Performance Measures and Targets

The BRIC program supports risk reduction of natural hazard risk. The following key performance indicators provide strategic and relevant information to decision makers and stakeholders about BRIC's progress and success toward achieving its goals and objectives, and are based on metrics that are available or could be feasibly collected:

- Total number and population size of communities supported since inception
- Dollar amount of total expected benefits and average benefit-cost ratio for the program
- Number of state, local, tribal, and territorial (SLTT) governments that adopted hazard-resistant building codes after receiving BRIC grants for building code activities

These performance measures evaluate the program as a whole. FEMA notes that these key performance indicators are not determinative of whether an application to the BRIC program is selected for funding.

F. Program-Specific Unallowable Costs

All costs charged to federal awards (including both federal funding and any non-federal matching or cost sharing funds) must comply with applicable statutes, rules and regulations, and policies, this NOFO, and the terms and conditions of the federal award. They must also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200 unless otherwise indicated in the NOFO or the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred and products and services must be delivered within the budget period. 2 C.F.R. § 200.403(h) (referring to budget periods, which for FEMA awards is the same as the period of performance). The following identifies a list of activities for which a recipient may not use federal funds and any cost sharing or matching funds under federal awards:

1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306)
2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450
3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435) See subsections below for information on any other funding restrictions.

G. General Funding Requirements

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, and the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered within the budget period. 2 C.F.R. § 200.403(h).

Recipients may not use federal funds or any cost share funds for the following activities:

1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306).

2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450.

3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435).

H. Indirect Costs (Facilities and Administrative Costs)

Indirect costs (IDC) are allowed for costs incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards.

I. Management Costs

In addition to funding received as described in "Expected Total Funding" subsection, subapplicants may apply for up to 5% of the total budget of the eligible capability- and capacity-building activity (if directly tied to infrastructure) or hazard mitigation project for subrecipient management costs. The total budget refers to the sum of non-federal and federal shares of the proposed activity. Subrecipients must use subaward management costs to manage their subaward activities. Subapplicant management cost activities must be added to the Scope of Work section and identified as a line item in the Cost Estimate section of subapplications in FEMA GO.

Applicants may apply for up to 10% of the application budget inclusive of subapplicant management costs for applicants to administer and manage award and subaward activities. Applicant requests for management costs must be submitted in a separate management costs subapplication in FEMA GO (see "Program-Specific Required Documents and Information" subsection). FEMA will adjust management cost awards to ensure that the amount available for management costs does not exceed the permitted percentage. If the grant award amount is adjusted for any reason, FEMA will de-obligate any management costs that exceed the allowed amounts.

The federal cost share for states, territories, and Tribal Nations, for Recipient Management Costs is set at 100% of the total award amount.

The subapplicant's applied for management costs (up to 5%) must be added to the total subapplication budget prior to the calculation of the applicant management costs (up to 10%). If the applicant is applying to also implement the award as the subrecipient, the applicant is allowed to apply for subrecipient (up to 5%) and recipient management costs (up to 10%). Uses of the applied for recipient management costs must be distinct from subrecipient management costs and must adhere to the stated uses, even if being used by the same entity. The total management costs still may not exceed 15% of the total award. FEMA will adjust management cost awards to ensure that the amount available for management costs does not exceed the permitted percentage. If the total grant award amount is adjusted for any reason, FEMA will de-obligate any management costs that exceed the allowed amounts.

Management costs are governed by section 324 of the Stafford Act (42 U.S.C. § 5165b). Management costs are any indirect costs, any direct administrative costs, and other administrative expenses that are reasonably incurred in administering an award or subaward. Eligible applicant or subapplicant management cost activities may include:

- Solicitation, review, and processing of subapplications and subawards
- Subapplication development and technical assistance to subapplicants regarding feasibility and effectiveness and BCA

- Delivery of technical assistance (e.g., training) to support the implementation of hazard mitigation activities
- Managing awards (e.g., quarterly reporting including managing Go/No-Go milestones for hazard mitigation projects submitted under the National Competition, closeout)
- Technical monitoring (e.g., site visits, technical meetings)
- Purchase of equipment, per diem and travel expenses, and professional development that is directly related to the implementation of HMA programs
- Staff salary costs directly related to performing the activities listed above

Management costs may only be used to support the administration and management of eligible subawards. Activities funded as direct subawards (such as project scoping for infrastructure or building code adoption/enforcement under capability and capacity building) may not also be funded through management costs.

Management costs are not overhead costs but are necessary direct costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, management costs can be itemized in financial reports.

J. Pre-Award Costs

Pre-award costs are directly related to developing the BRIC grant application or subapplication that are incurred prior to the date of the grant award are allowed subject to FEMA approval at time of award. Approval of pre-award costs is not guaranteed. Such costs may have been incurred prior to application submission, for example gathering data to be used for preparing environmental reviews required by National Environmental Policy Act (NEPA), developing a BCA (see “Benefit-Cost Analysis [BCA] for Hazard Mitigation Projects” subsection), or preparing design specifications. To be eligible for BRIC funding, pre-award costs must be identified in an individual line item in the cost estimate of the subapplication.

Pre-award costs may be cost shared or applicants and subapplicants may identify them as their non-federal cost share (see “Cost Share Description, Type and Restrictions” subsection).

Costs associated with implementation of proposed projects in the submitted grant application or subapplication that are incurred prior to the date of the grant award are not allowed.

Applicants and subapplicants who are not selected for awards or subawards will not receive reimbursement for the corresponding pre-award costs.

K. Beneficiary Eligibility

This NOFO and any subsequent federal awards create no rights or causes of action for any beneficiary.

Individuals, businesses, and nonprofit organizations are not eligible to apply for BRIC funds as an applicant or subapplicant; however, an eligible applicant or subapplicant may apply for funding on behalf of individuals, businesses, and nonprofit organizations.

L. Participant Eligibility

This NOFO and any subsequent federal awards create no rights or causes of action for any participant.

1. Applicant Eligibility Criteria

- States and territories that had a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the seven years prior to the annual application period start date are eligible to apply to FEMA for federal assistance under BRIC. As a result of numerous major disaster declarations, all states, territories, and the District of Columbia are eligible to apply to this funding opportunity.

- Federally recognized tribal nations that had a major disaster declaration under the Stafford Act in the seven years prior to the annual application period start date or are entirely or partially located in a state or territory that had a major disaster declaration in the seven years prior to the annual application period start date are eligible to apply to FEMA for federal assistance under BRIC as applicants or subapplicants to eligible states and territories. As a result of numerous major disaster declarations, all federally recognized tribal nations are eligible to apply to this funding opportunity.

- Applicants are required to have a FEMA-approved State or Tribal Hazard Mitigation Plan in accordance with 44 C.F.R. Part 201 by the application deadline and at the time of obligation of the award.

- To be considered for financial assistance, all applicants must submit their BRIC grant applications for this funding opportunity to FEMA via FEMA GO (see “Submission Requirements and Deadlines” subsection).

2. Subrecipient Eligibility

- Local governments as defined in 42 U.S.C § 5122(8), are eligible to apply to eligible states and territories for federal assistance under BRIC as subapplicants.

- Subapplicants are required to have a FEMA approved Local or Tribal Hazard Mitigation Plan in accordance with 44 C.F.R. Part 201 by the application deadline and at the time of obligation of grant funds for hazard mitigation projects. Multi-jurisdictional plans (e.g., watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process and has officially adopted the plan. State-wide plans will not be accepted as multi-jurisdictional plans.

- Regional planning districts (e.g., planning commissions or councils, councils of government, area development districts, or equivalent planning entities) without approved mitigation plans may serve as the subapplicant on behalf of a local government or tribal nation within their service area if the local government or tribal nation proposing the mitigation project where the activity is located has a current FEMA approved Local or Tribal Mitigation Plan and the proposed activity is consistent with that plan.

- Subapplicants, including federally recognized tribal nations submitting as subapplicants to a state or territory, are exempt from the hazard mitigation plan requirement for the capability- and capacity-building activity types.

- Hazard mitigation plan integration, while not required to be eligible for BRIC, is encouraged. See “Integrating Hazard Mitigation and Planning” subsection for additional information.

3. Other Eligibility Criteria/Restrictions

a. Environmentally Friendly Measures

- All activities under BRIC must be in conformance with all applicable environmental planning and historic preservation (EHP) laws, regulations, executive orders, and agency policies as defined in the HMA Guide, Part 4, H. Environmental and Historic Preservation Requirements.

b. Future Conditions

- Considering future conditions in mitigation projects is essential for ensuring their effectiveness. By accounting for future conditions factors such as changing weather patterns, and changes in a community’s risk profile like anticipated population growth, increased infrastructure demands, and evolving land use, Infrastructure projects should be designed to address not only current risks but also emerging threats over the lifespan of the infrastructure. This proactive approach enhances the resilience of communities and infrastructure, reducing the long-term impacts of natural disasters. Projects that incorporate future conditions are better positioned to minimize loss of life, property damage, and economic disruption, ultimately supporting stronger infrastructure and safer communities over time.

- Applicants should utilize appropriate data to ensure investments in infrastructure will withstand natural hazards over the useful life of the asset. Data and planning assumptions should consider both current and future conditions; ensure responsible floodplain and wetland management based on the history of flood hazard mitigation efforts and the frequency, duration, and intensity of precipitation events; and account for exposure and sensitivity to natural hazards such as flood, drought, and wildfire.

c. Specific Community Identification

Subapplicants should include location data in the “Community” and “Location” sections of the FEMA GO subapplication; this will be used to verify if a subapplicant qualifies as a small impoverished community:

- In the “Community” section of FEMA GO, subapplicants should list the communities that will benefit from the hazard mitiga-

tion activity by clicking on the find community button to find the name and CID number in the Community Information System (CIS) database. If the community cannot be found in the database, include information in the comments (such as the full name and Census incorporated place GEOID) and inform your state NFIP coordinator so the database can be updated.

- In the “Project site inventory” section of FEMA GO, subapplicants should list all locations of mitigated properties/structures including address and/or latitude and longitude coordinates in the “project site inventory” section on FEMA GO.

- Small impoverished communities are defined at 42 U.S.C. § 5133(a) and 44 C.F.R Part 59. See “Cost Share Description, Type and Restrictions” subsection in this funding opportunity for more detail on requirements to qualify for this designation for cost share, and “Evaluation Criteria for National Competition” subsection of this funding opportunity for more information about evaluation criteria.

- Subapplicants may include narrative descriptions of population benefiting to supplement the data and shapefile provided, particularly in rural areas with limited population data or for projects benefiting geographically dispersed populations.

- FEMA uses the subapplicant jurisdiction or jurisdictions listed in the Communities section of FEMA GO and validate the locations listed in the “Project site inventory” to determine small impoverished communities for eligible cost share.

d. Additional Criteria

- Hazard mitigation projects must be consistent with the applicant’s State or Tribal Hazard Mitigation Plan and the subapplicant’s Local or Tribal Hazard Mitigation Plan approved under 44 C.F.R. Part 201. Applicants must identify in the BRIC application where the need for the proposed project types are specifically referenced or included in the State or Tribal Hazard Mitigation Plan (page number, section title, etc.).

- Hazard mitigation projects must be cost-effective and designed to increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services and facilities as defined in the HMA Guide, Part 5. Cost-Effectiveness.

- Hazard mitigation projects must, at a minimum, be in conformance with the two latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs. If the hazard mitigation project is located in a Special Flood Hazard Area, it must meet all of the following conditions:

- o The project is in a jurisdiction participating in the National Flood Insurance Program that is not on probation, suspended, or withdrawn.

- o The property owner obtains and maintains flood insurance for the life of the structure, regardless of transfer of ownership, in an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to the mitigated property, whichever is less.

- Earthquake early warning systems are eligible as stand-alone projects.

- Construction activities for which ground disturbance has already been initiated or completed are not eligible for funding. Non-construction activities that have already started may not be considered for funding.

- When subapplications include an information technology or operational technology component as part of a larger project, FEMA will allow activities that enable greater community resilience through cybersecurity as eligible costs when those activities are performed in accordance with the cybersecurity performance goals for critical infrastructure and control systems directed by the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems (NSM-5). Subapplicants should address cybersecurity in their planning, design, and project oversight for awards that include a technology nexus that may pose a cyber risk that would affect the reliability or operability of the project.

M. Authorizing Authority

Section 203 of the Robert T. Stafford Disaster Relief and Emer-

gency Assistance Act (Stafford Act), as amended (Pub. L. No. 93-288) (42 U.S.C. §§ 5133).

N. Appropriation Authority

Section 203(i) of the Stafford Act, as amended (Pub. L. No. 93-288) (42 U.S.C. § 5133[j]) and Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) (2021).

O. Budget Period

FEMA awards under the BRIC program only include one budget period; it will be the same as the period of performance. See 2 C.F.R. § 200.1 for definitions of “budget period” and “period of performance.”

P. Prohibition on Covered Equipment or Services

Recipients, subrecipients, and their contractors or subcontractors must comply with the prohibitions set forth in Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which restrict the purchase of covered telecommunications and surveillance equipment and services. Please see 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200, and FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services for more information.

4. Application Contents and Format

A. Pre-Application, Letter of Intent, and Whitepapers

Subapplicants should contact their applicant agency for information specific to their state/territory/tribe’s application process. Contact information is available on the State Hazard Mitigation Officers webpage.

B. Application Content and Format

Applicants may require their subapplicants to complete the grant application and/or Assurances and Certifications forms to their capability- and capacity-building activity and hazard mitigation project subapplications generated in the FEMA GO system.

All applicants must submit a BRIC grant application via FEMA GO by the application deadline to be considered for funding. The required format for BRIC applications and subapplications is built into FEMA GO.

C. Application Components

The following forms or information are required to be submitted via FEMA GO. They are automatically generated in FEMA GO; no additional attachment is needed. The Standard Forms (SF) are also available at [Forms | Grants.gov](https://Forms.Grants.gov)

- SF-424, Application for Federal Assistance

- Grants.gov Lobbying Form, Certification Regarding Lobbying

- SF-424A, Budget Information (Non-Construction)

- o For construction under an award, submit SF-424C, Budget Information (Construction), in addition to or instead of SF-424A

- SF-424B, Standard Assurances (Non-Construction)

- o For construction under an award, submit SF-424D, Standard Assurances (Construction), in addition to or instead of SF-424B

- SF-LLL, Disclosure of Lobbying Activities

D. Program-Specific Required Documents and Information

The following program-specific forms or information are required to be submitted in FEMA GO:

1. Management Costs

Applicant requests for management costs must be submitted in a separate management costs subapplication in FEMA GO.

Applicants may apply for up to 10% of the application budget inclusive of subapplicant management costs for applicants to administer and manage award and subaward activities. The applied for subrecipient management costs (up to 5%) must be added to the total subapplication budget prior to the calculation of the applicant management costs (up to 10%).

Subapplicants may apply for up to 5% of the total budget of the capability- and capacity-building activity or hazard mitigation project for subrecipient management costs. Subrecipient management cost activities must be submitted as their own budget in the subapplication.

The total budget refers to the sum of non-federal and federal shares of the proposed capability- and capacity-building activity or hazard mitigation project. Subrecipient must use subrecipient management costs to manage their subaward activities.

FEMA will adjust management cost awards to ensure that the amount available for management costs does not exceed the permitted percentage. If the total grant award amount is adjusted for any reason, FEMA will de-obligate any management costs that exceed the allowed amounts.

Federal Cost Share for Management Costs:

- For states and territories, the federal cost share for Recipient Management Costs is set at 100% of the total award amount.
- For Tribal Nations, the federal cost share for Recipient Management Costs remains 100% of the total award amount.

2. Benefit-Cost Analysis (BCA) for Hazard Mitigation Projects

Applicants and subapplicants applying for hazard mitigation projects are required to use FEMA-approved methodologies and tools, such as the BCA Toolkit, to demonstrate the cost-effectiveness of their projects. Further details on hazard mitigation project cost-effectiveness can be found in the HMA Guide, Part 5. Cost-Effectiveness or on the Benefit-Cost Analysis webpage.

3. Go/No-Go Milestones

The subapplicant, in coordination with the applicant, must identify at least one or more Go/No-Go milestones in the work schedule for hazard mitigation projects submitted to the National Competition that FEMA will review and approve. Hazard mitigation projects submitted under the State/Territory Allocation or Tribal Set-Aside do not require Go/No-Go milestones. A Go/No-Go milestone is a major milestone in the project that if not completed on time may result in a cancellation of the subaward. Progress towards meeting the Go/No-Go milestones must be reported in the quarterly progress reports submitted to the recipient and FEMA. At these Go/No-Go milestones, FEMA will evaluate project performance, schedule adherence, and contribution to FEMA's program goals and objectives.

4. National Environmental Policy Act Requirements for Hazard Mitigation Projects Applicants and subapplicants applying for hazard mitigation projects must provide information needed to comply with the National Environmental Policy Act (NEPA) (42 U.S.C. §§ 4321-4370h) and the related Department of Homeland Security and FEMA instructions and directives: DHS Directive 023-01, DHS Instruction Manual 023-01-001-01, FEMA Directive 108-1, and FEMA Instruction 108-1-1. The required information is included in the subapplication in FEMA GO. Environmental Historic Preservation Job Aids and Supplements are available on the Hazard Mitigation Assistance Job Aids and Environmental & Historic Preservation Guidance for FEMA Grant Applications webpages. The required information is included in the subapplication in FEMA GO.

5. Acquisition Project Requirements

The subrecipient must provide FEMA with a signed copy of the Statement of Voluntary Participation for each property post-award. The Statement of Voluntary Participation formally documents the Notice of Voluntary Interest and information related to the purchase offer.

In undertaking a larger-scale migration or relocation effort that is intended to move structures out of high-risk areas, the subapplicant should consider how it can protect and sustain the impacted community and its assets. Accordingly, subapplicants must demonstrate to FEMA how they will resettle such areas in a way that mitigates future risk from natural hazards and increasing insurance costs through mechanisms such as: new land use development plans; building codes or construction requirements; protective infrastructure development; or restrictions on future disaster assistance to such properties.

Subrecipients must apply deed-restriction language to all acquired properties to ensure that the property is maintained in perpetuity as open space consistent with the conservation of natural floodplain functions, as agreed to by their accepting FEMA hazard mitigation award funding. Deed-restriction language is applied to acquired properties by recording the open space and deed restrictions per the FEMA Model Deed Restriction. Subrecipients, as well as recipients and FEMA, are responsible for enforcing open space restrictions pursuant to 44 C.F.R. Part 80 requirements.

6. Intergovernmental Review

An intergovernmental review may be required. Applicants must contact their state's Single Point of Contact (SPOC) to comply with the state's process under Executive Order 12372.

5. Submission Requirements and Deadlines

A. Address to Request Application Package

Applications are processed through the FEMA GO system. To access the system, go to <https://go.fema.gov/>.

Steps Required to Apply For An Award Under This Program and Submit an Application:

To apply for an award under this program, all applicants must:

a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and Employer Identification Number (EIN) from the Internal Revenue Service;

b. In the application, provide an UEI number;

c. Have an account with login.gov;

d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;

e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organizational Representative (AOR). The organization's electronic business point of contact (eBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <https://www.fema.gov/media-library/assets/documents/181607>;

f. Submit the complete application in FEMA GO; and

g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Per 2 C.F.R. § 25.110 if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact fema-grants-news@fema.dhs.gov and provide the details of the exigent circumstances.

How to Register to Apply:

General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission.

Organizations must have a Unique Entity Identifier (UEI) number, Employer Identification Number (EIN), and an active System for Award Management (SAM) registration.

Obtain a UEI Number:

All entities applying for funding, including renewal funding, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form. For more detailed instructions for obtaining a UEI number, refer to [SAM.gov](https://sam.gov).

Obtain Employer Identification Number:

In addition to having a UEI number, all entities applying for funding must provide an Employer Identification Number (EIN). The EIN can be obtained from the IRS by visiting <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>.

Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account at:

https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd.

Applicants only have to create a login.gov account once. For existing SAM users, use the same email address for both login.gov and SAM.gov so that the two accounts can be linked.

For more information on the login.gov requirements for SAM registration, refer to <https://www.sam.gov/SAM/pages/public/loginFAQ.jsf>.

Register with SAM:

In addition to having a UEI number, all organizations must register with SAM. Failure to register with SAM will prevent your organization from applying through FEMA GO. SAM registration must be renewed annually and must remain active throughout the entire grant life cycle.

For more detailed instructions for registering with SAM, refer to <https://apply07.grants.gov/help/html/help/Register/RegisterWithSAM.htm>.

Note: per 2 C.F.R. § 25.200, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded federal contracts or federal financial assistance within the past three years, if applicable.

Register in FEMA GO, Add the Organization to the System, and Establish the AOR:

Applicants must register in FEMA GO and add their organization to the system. The organization's electronic business point of contact (eBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see FEMA GO Startup Guide.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome;
- Mozilla Firefox;
- Apple Safari; and
- Microsoft Edge.

Applicants using tablet-type devices or other browsers may encounter issues with using FEMA GO.

Submitting the Final Application:

Applicants will be prompted to submit the standard application information and any program-specific information required. Standard Forms (SF) may be accessed in the Forms tab under the SF-424 family on Grants.gov. Applicants should review these forms before applying to ensure they are providing all required information.

After submitting the final application, FEMA GO will provide either an error message, or an email to the submitting AOR confirming the transmission was successfully received.

B. Application Deadline

07/23/26 03:00:00 PM Eastern Time

All applications must be received by the established deadline. Please note that FEMA deadlines listed in this NOFO refer to application deadlines for the applicants. Subapplicants should consult with their applicant agency to confirm subapplication deadlines to the applicant, if applicable.

FEMA's Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission.

FEMA will not consider or review applications that are received after the deadline.

C. Pre-Application Requirements Deadline

Event	Suggested Deadline for Completion
Obtaining Unique Entity Identifier (UEI) number	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline

Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or updating SAM registration	Four weeks before actual submission deadline
Registering Organization in FEMA GO	Prior to beginning application
Submitting complete application in FEMA GO	One week before actual submission deadline

D. Post-Application Requirements Deadline Not applicable

E. Effects of Missing the Deadline

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting AOR will receive via email the official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline and no later than 3:00 PM ET, on Tuesday, July 21, 2026. No new system-related issues will be addressed after this deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. "Timely notification" of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue. FEMA may extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline.

6. Intergovernmental Review

A. Requirement Description and State Single Point of Contact

An intergovernmental review may be required. Applicants must contact their state's Single Point of Contact (SPOC) to comply with the state's process under Executive Order 12372.

7. Application Review Information

A. Threshold Criteria

For all activities/projects under all applications, including for the State/Territory Allocation, Tribal Set-Aside, and National Competition, FEMA will review applications and subapplications submitted by each applicant to ensure:

- Eligibility of the applicant and subapplicant;
- Eligibility of proposed activities and costs;
- Complete Scope of Work;
- Cost-effectiveness (BCA);
- Technical feasibility of hazard mitigation projects;
- Line-item budget;
- Eligibility and availability of the non-federal cost share;
- Consistency with Administration and Agency priorities; and
- Consistency with approved State Mitigation Plan and Local and/or Tribal Hazard Mitigation Plan for hazard mitigation projects.

Subapplicants are exempt from the hazard mitigation plan requirement for capability- and capacity-building activity types.

B. Application Criteria

Subapplications submitted to the National Competition that pass the eligibility and completeness programmatic review will be scored with evaluation criteria. FEMA will review project subapplications valued at two times the amount of available funding.

1. Evaluation Criteria for the National Competition

As set forth in the table below, FEMA will score subapplications using evaluation criteria, offering incentives for elements valued by FEMA.

Evaluation Criteria for the National Competition		
Topic	Criteria	Potential Total Points

1	Infrastructure Project ² Construction Readiness	Projects demonstrating higher readiness can reduce the risk of extended grant periods, cost overruns, and administrative burden. To increase the timeliness of hazard risk reduction, these criteria assess the extent to which the proposed project is sufficiently developed to proceed to award and start construction without significant delay. Conceptual Design (5): Infrastructure projects with basic conceptualization and design (i.e., at least 30% design) will receive 5 points. OR Preliminary Design (15): Infrastructure projects with refined and detailed design including major systems, materials, dimensions and draft specifications (i.e., greater than 30% design) will receive 15 points. OR Detailed Design (30): Infrastructure projects with detailed drawings and specifications for bidding, permitting and actual construction (i.e., 90% design or greater) will receive 30 points. These documents may include completed environmental and historic preservation compliance documentation (e.g. environmental assessment, archeological survey, US Army Corps permit, floodplain development permit, etc.).	5 OR 15 OR 30	3	Building Code Adoption and Enforcement	Subcriteria 3.1: Building Code Adoption (5): The subapplication will receive 5 points if the community where the project will be developed has locally adopted current or next most recent hazard-resistant consensus-based model building code such as both the International Building Code (IBC) and the International Residential Code (IRC) model codes published by the International Code Council (ICC) from 2021 or 2024. AND Locally Adopted Building codes (5): The subapplication will receive an additional 5 points if the locally adopted building codes by the community are based on the applicant's mandatory state-, tribal-, territory-wide adoption of current or next most recent hazard-resistant consensus-based model building code such as both the International Building Code (IBC) and the International Residential Code (IRC) model codes published by the International Code Council (ICC) from 2021 or 2024. AND Building Code Enforcement (10) – Subapplicant has Building Code Effectiveness Grading Schedule (BCEGS) Rating of 1 to 5. OR Subcriteria 3.2: Alternative Higher Standards (5): Any subapplicant that has not received points under Sub-criterion 3.1 could receive 5 points by providing a narrative demonstrating that they hold higher hazard-resistant standards for the primary hazard they have identified in their subapplication.	5 AND 5 AND 10 OR 5
2	New Applicant or Subapplicant	The subapplication is submitted from a subapplicant that has never been selected in the BRIC National Competition. OR The subapplication is submitted by a subapplicant from a state, territory or tribal applicant that has never been selected in the BRIC National Competition.	15 OR 15	4	Small impoverished community	Designation as a small impoverished community as referenced in 42 U.S.C. § 5133(a).	5

5	Risk Reduction	<p>A narrative in the Scope of Work section of FEMA GO will be scored based on the sufficiency of the responses (20):</p> <p>1) Effectively reduce risk: Identify the risk(s) being reduced and state what action will reduce the identified risk.</p> <p>2) Increase resilience within the community based on their primary natural hazard risk (including the benefits quantified in the BCA): Detail ability to prepare for anticipated hazards, adapt to changing conditions, and withstand and recover rapidly from disruption for the useful life of the infrastructure asset.</p> <p>3) Realize ancillary benefits: Identify benefits other than the project’s primary risk reduction objective.</p>	20
6	Implementation Measures	<p>A narrative in the Scope of Work section of FEMA GO will be scored based on the sufficiency of the responses to the criteria listed below.</p> <p>1) Cost management: Describe the processes by which project costs will be managed including any identified challenges or obstacles.</p> <p>2) Schedule management: Provide a description of the project schedule and the measures taken to manage the schedule including any identified challenges.</p> <p>3) Successful implementation, and incorporation of any innovative techniques: Detail pre- and post-implementation monitoring strategies being used and how progress will be measured. Describe innovative techniques implemented.</p> <p>4) Technical and managerial staff, and resources availability: Identify technical and managerial staff and resources used to successfully implement the project.</p>	10

For more information regarding an applicant’s code adoption status, please visit the FEMA Building Code Adoption Tracking webpage.

For additional information on evaluation criteria contact your Regional Office.

C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants’ eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, § 2 [2020]), 41 U.S.C. § 2313, and the “Do Not Pay Initiative” (31 U.S.C. 3354). For more details, please see 2 C.F.R. § 200.206.

Thus, the Financial Integrity Criteria may include the following risk-based considerations of the applicant:

1. Financial stability.

2. Quality of management systems and ability to meet management standards.
3. History of performance in managing federal award.
4. Reports and findings from audits.
5. Ability to effectively implement statutory, regulatory, or other requirements.

D. Supplemental Financial Integrity Criteria and Review

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of \$250,000) over the period of performance:

1. FEMA is required by 41 U.S.C. § 2313 to review or consider certain information found in SAM.gov. For details, please see 2 C.F.R. § 200.206(a)(2).

2. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.

3. Before making decisions in the risk review required by 2 C.F.R. § 200.206, FEMA will consider any comments by the applicant.

E. Reviewers and Reviewer Selection

Subapplications are reviewed by appropriate FEMA headquarters and regional office staff. FEMA will perform the evaluation for the National Competition according to the scoring criteria.

F. Merit Review Process

1. State/Territory Allocation

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible capability- and capacity-building activity and hazard mitigation project subapplications from eligible states, territories, and the District of Columbia in order of the applicant’s rank (#1–x) to the lowest ranked subapplication that brings the total federal cost share to no more than \$2,000,000 per applicant. In FEMA GO, applicants will rank all subapplications. Subapplications submitted to the State/Territory Allocation and subapplications submitted to the National Competition should be categorized and ranked separately.

2. Tribal Set-Aside

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible capability- and capacity-building activity and hazard mitigation project subapplications not to exceed a total of \$50 million. In FEMA GO, applicants will rank all subapplications.

In the event that more than \$50 million in subapplications are submitted under the Tribal Set-Aside, the capability- and capacity-building activities and highest-ranked hazard mitigation project subapplications up to \$50 million will be selected. Once the \$50 million is selected, all remaining tribal hazard mitigation project subapplications will be evaluated under the National Competition.

3. State/Territory Building Code Plus-Up

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible building code adoption and enforcement activity subapplications from eligible states, territories, and the District of Columbia in order of the applicant’s rank (#1–x) to the lowest ranked subapplication that brings the total federal cost share to no more than \$1,000,000 per applicant. Subapplications submitted to the State/Territory Building Code Plus-Up must be categorized and ranked separately from subapplications submitted to the State/Territory Allocation or the National Competition. Building Code Plus-Up subapplications can only be submitted in the Building Code Plus-Up category and cannot be submitted to the National Competition. Specific building code activities that are directly tied to infrastructure may also be submitted under the State/Territory Allocation. Building Code Plus-Up funds may only be applied to eligible building code activities including companion codes (ex. energy codes) and may not be used for other BRIC eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.

4. Tribal Building Code Plus-Up

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible build-

ing code adoption and enforcement activity subapplications not to exceed a total of \$25 million. Building Code Plus-Up funds may only be applied to eligible building code activities including companion codes (ex. energy codes) and may not be used for other eligible BRIC projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.

If the total amount of eligible Tribal Building Code Plus-Up subapplications exceeds \$25 million, FEMA will select subapplications based on the applicants ranking and/or additional evaluation criteria established for this category, until the \$25 million cap is reached. Only eligible building code adoption and enforcement activities will be funded.

5. National Competition

FEMA will perform the evaluation review and scoring. In FEMA GO, applicants will rank all subapplications. A project's cumulative score will determine its priority order among all projects considered in the National Competition.

FEMA may select a subapplication out of priority order (as determined by the total points scored) based on one or more of the following factors: (1) availability of funding; (2) duplication of subapplications; (3) alignment with administration, agency and program priorities, and (4) policy factors to increase geographical distribution; or (5) other pertinent information, including past performance on other FEMA awards or grant balances.

Eligible subapplications that have made it through the selections process but will not be funded due to the limited availability of BRIC funding may be reviewed by other FEMA grant programs for eligibility and alternative funding. FEMA retains discretion to award or not award subapplications that have made it through the selections process based on the current administration, agency and program priorities, and policy factors, including geographical distribution. Additional information may be requested from the applicant to ensure all applicable programmatic eligibility criteria are met.

G. Final Selection

After FEMA has completed its review of all subapplications across all activities/projects, it will assign each of them one of the following three statuses:

- Identified for Further Review (IFFR) – This means the subapplication is selected and there is available funding under the applicable subtotals. Additional information may be requested from the applicant at this stage that may impact eligibility. Identified for Further Review (IFFR) status does not automatically imply an award will be made. FEMA retains discretion to make an award based on the current administration, agency and program priorities, and policy factors, including geographical distribution.

Applicants with capability- and capacity-building activity and/or hazard mitigation project subapplication(s) that are IFFR and submitted a management costs subapplication in their BRIC grant application (see Section 4.D.1.) are eligible to receive recipient management costs for subapplications that are awarded.

- Not Selected – This means the subapplication satisfies the basic eligibility or completeness requirements. This status does not reflect eligibility determinations made if it was subject to the cost-effectiveness and technical feasibility requirements.

- Does Not Meet HMA Requirements – This means the subapplication does not satisfy the eligibility or completeness requirements. This status does not reflect eligibility determinations made if it was subject to the cost-effectiveness and technical feasibility requirements.

H. Appeals

An eligible applicant, subapplicant, recipient, or subrecipient may request an appeal of FEMA's denial of its application or subapplication for hazard mitigation projects, management costs, and activities for which there is an indication

The appeal must be submitted according to the following procedures:

- The applicant or recipient must submit an appeal in writing to FEMA within 60 days after receipt of a notice of the action that is being appealed. The subapplicant or subrecipient must submit its appeal in writing to the applicant or recipient, after which the applicant or re-

ipient must review and evaluate the subapplicant's or subrecipient's appeal before submission to FEMA.

- For denials of applications or subapplications for hazard mitigation projects and activities, the appeal must identify any substantive technical or procedural error committed by FEMA, and FEMA will only consider the information provided in the application or subapplication as supporting documentation.

The applicant, subapplicant, recipient, or subrecipient will be notified in writing of the disposition of the appeal or the need for additional information. All appeal decisions are final.

8. Award Notices

A. Notice of Award

The Authorized Organization Representative should carefully read the federal award package before accepting the federal award. The federal award package includes instructions on administering the federal award as well as terms and conditions for the award.

By submitting an application, applicants agree to comply with the prerequisites stated in this NOFO and the material terms and conditions of the federal award, should they receive an award.

FEMA will provide the federal award package to the applicant electronically via FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An award package notification email is sent via the grant application system to the submitting AOR.

Recipients must accept their awards no later than 30 days from the award date. Recipients shall notify FEMA of their intent to accept the award and proceed with work via the FEMA GO system.

Funds will remain on hold until the recipient accepts the award via FEMA GO and all other conditions of the award have been satisfied, or until the award is otherwise rescinded. Failure to accept a grant award within the specified timeframe may result in a loss of funds.

B. Pass-Through Requirements

Not applicable

C. Note Regarding Pre-Award Costs

Even if pre-award costs are allowed, beginning performance is at the applicant and/or sub-applicant's own risk.

D. Obligation of Funds

Funds are obligated upon award.

E. Notification to Unsuccessful Applicants

Unsuccessful applicants will be notified through FEMA GO and will be posted on the FEMA website.

9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference. Pursuant to the preliminary injunction order issued on November 21, 2025, in *County of Santa Clara et al. v. Noem, et al.*, No. 25-cv-08330-WHO (N.D. Cal.), this requirement does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, this requirement will immediately become effective. Also, pursuant to the preliminary injunction order issued on November 21, 2025, in *City of Chicago et al. v. Noem, et al.*, No. 25-CV-12765 (N.D. Ill.), this requirement does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, this requirement will immediately become effective.

In accordance with Executive Order 14305, Restoring American Airspace Sovereignty (June 6, 2025), and to the extent allowed by law, eligible state, local, tribal, and territorial grant recipients under this NOFO are permitted to purchase unmanned aircraft systems, otherwise known as drones, or equipment or services for the detection, tracking, or identification of drones and drone signals, consistent with the legal authorities of state, local, tribal, and territorial agencies.

Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

B. DHS Standard Terms and Conditions

A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect as of the date of the federal award. The DHS Standard Terms and Conditions are available online: DHS Standard Terms and Conditions | Homeland Security. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

A recipient under this funding opportunity must comply with the FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025), with the following exceptions. Paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) and paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) do not apply to any federal award under this funding opportunity.

Pursuant to the preliminary injunction order issued on November 21, 2025, in County of Santa Clara et al. v. Noem, et al., No. 25-cv-08330-WHO (N.D. Cal.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) Paragraph C.XVII of the DHS Standard Terms and Conditions titled “Anti-Discrimination”; and (2) Paragraph C.XXXI of the DHS Standard Terms and Conditions titled “Presidential Executive Orders”. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII and Paragraph C.XXXI will immediately become effective. As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

Pursuant to the preliminary injunction order issued on November 21, 2025, in City of Chicago et al. v. Noem, et al., No. 25-CV-12765 (N.D. Ill.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) Paragraph C.XVII of the DHS Standard Terms and Conditions titled “Anti-Discrimination”; and (2) Paragraph C.XXXI of the DHS Standard Terms and Conditions titled “Presidential Executive Orders”. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII and Paragraph C.XXXI will immediately become effective. As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

Pursuant to the preliminary injunction order issued on October 31, 2025, in City of Seattle v. Trump, et al., No. 2:25-cv-01435-BJR (W.D. Wa.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: Paragraph C.XVII of the DHS Standard Terms and Conditions titled “Anti-Discrimination”. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective. As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

The FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025) are available at www.dhs.gov/publication/dhs-standard-terms-and-conditions.

C. Financial Reporting Requirements

1. Recipients must report obligations and expenditures through a federal financial report. The Federal Financial Report (FFR) form,

also known as Standard Form 425 (SF-425), is available online at: SF-425 OMB #4040-0014.

2. Recipients must submit the FFR quarterly throughout the period of performance (POP) as detailed below:

Reporting Period	Report Due Date
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	October 30

3. The final FFR is due within 120 calendar days after the end of the POP.

FEMA may withhold future federal awards and cash payments if the recipient does not submit timely financial reports or the financial reports submitted demonstrate lack of progress or provide insufficient detail.

D. Programmatic Performance Reporting Requirements

1. A Performance Progress Report must be submitted quarterly throughout the POP, including partial calendar quarters, as well as for periods where no grant award activity occurs.

2. A Performance Progress Report must include progress towards go/no-go milestones.

3. The Performance Progress Report must be submitted through FEMA GO using the Quarterly Performance Progress Report.

4. Performance Progress Reports are due within 30 days from the end of the first federal quarter following the initial grant award and thereafter until the grant ends.

E. Closeout Reporting Requirements

Within 120 days after the end of the period of performance, or after an amendment has been issued to close out a federal award, recipients must submit the following:

1. The final request for payment, if applicable.

2. The final FFR.

3. The final progress report detailing all accomplishments. The recipient must include with the final progress report an inventory of all construction projects.

4. A qualitative narrative summary of the impact of those accomplishments throughout the period of performance.

5. Other documents required by this NOFO, terms and conditions of the federal award, or other DHS Component guidance.

After FEMA approves these reports, it will issue a closeout notice. The notice will indicate the period of performance as closed, list any remaining funds to be de-obligated, and address the record maintenance requirement. Unless a longer period applies, such as due to an audit or litigation, for equipment or real property used beyond the period of performance, or due to other circumstances outlined in 2 C.F.R. § 200.334, this maintenance requirement is three years from the date of the final FFR.

Also, pass-through entities are responsible for closing out those subawards as described in 2 C.F.R. § 200.344; subrecipients are still required to submit closeout materials within 90 calendar days of the subaward period of performance end date. When a subrecipient completes all closeout requirements, pass-through entities must promptly complete all closeout actions in time for the recipient to submit all necessary documentation and information to FEMA during the closeout of their prime award. The recipient is responsible for returning any balances of unobligated or unliquidated funds that have been drawn down that are not authorized to be retained per 2 C.F.R. § 200.344(e).

Administrative Closeout

Administrative closeout is a mechanism for FEMA to unilaterally execute closeout of an award. FEMA will use available award information in lieu of final recipient reports, per 2 C.F.R. § 200.344(h)-(i). It is an activity of last resort, and if FEMA administratively closes an award, this may negatively impact a recipient’s ability to obtain future funding. FEMA has up to one year to complete the administrative closeout of the award.

Additional Reporting Requirements

Anytime there is a change in personnel for any of the awardees and/or subrecipients, their information needs to be submitted for approval (all the previous personal information identified).

F. Disclosing Information per 2 C.F.R. § 180.335

Before entering into a federal award, the applicant must notify FEMA if it knows that the applicant or any of the principals (as defined at 2 C.F.R. § 180.995) for the federal award:

1. Are presently excluded or disqualified;
2. Have been convicted within the preceding three years of any of the offenses listed in § 180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
3. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with the commission of any of the offenses listed in § 180.800(a); or
4. Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

This requirement is fully described in 2 C.F.R. § 180.335.

Additionally, 2 C.F.R. § 180.350 requires recipients to provide immediate notice to FEMA at any time after entering a federal award if:

1. The recipient learns that either it failed to earlier disclose information as required by 2 C.F.R. § 180.335;
2. Due to changed circumstances, the applicant or any of the principals for the federal award now meet the criteria at 2 C.F.R. § 180.335 listed above.

G. Reporting of Matters Related to Recipient Integrity and Performance

Appendix XII to 2 C.F.R. Part 200 states the terms and conditions for recipient integrity and performance matters used for this funding opportunity.

If the total value of all active federal grants, cooperative agreements, and procurement contracts for a recipient exceeds \$10,000,000 at any time during the period of performance:

1. The recipient must maintain the currency of information reported in SAM.gov about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII;
2. The required reporting frequency is described in paragraph 4 of Appendix XII.

H. Single Audit Report

A recipient expending \$1,000,000 or more in federal awards (as defined by 2 C.F.R. § 200.1) during its fiscal year must undergo an audit. This may be either a single audit complying with 2 C.F.R. § 200.514 or a program-specific audit complying with 2 C.F.R. §§ 200.501 and 200.507. Audits must follow 2 C.F.R. Part 200, Subpart F, 2 C.F.R. § 200.501, and the U.S. Government Accountability Office (GAO) Generally Accepted Government Auditing Standards.

I. Monitoring and Oversight

Per 2 C.F.R. § 200.337, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. The right also includes timely and reasonable access to the recipient's or subrecipient's personnel for the purpose of interview and discussion related to such documents or the Federal award in general.

Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award.

J. Program Evaluation

<https://www.congress.gov/115/plaws/pub1435/PLAW-115pub1435.pdf> Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), PUBL435.PS urges federal agencies to use program evaluation as a critical tool to learn, improve delivery, and elevate program ser-

vice and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act, § 101 (codified at 5 U.S.C. § 311). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO, and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including, but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect) in accordance with 2 C.F.R. § 200.413. Recipients and subrecipients are also encouraged, but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

K. Additional Performance Reporting Requirements

Not applicable

L. Termination of Federal Award

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled "Termination of a Federal Award." The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

2. Termination of the Federal Award by FEMA

FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

- a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
- b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
- c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:
 - i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
 - ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
 - iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
 - iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
 - v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
 - vi. For other reasons based on program goals or agency priori-

ties described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.

vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the federal award.

b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.

c. If the pass-through entity's award has been terminated the pass-through recipient will terminate its subawards.

4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or pass-through entity may terminate the federal award in its entirety.

5. Impacts of Termination

a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).

b. When the federal award is terminated in part or its entirety, FEMA or pass-through entity and recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

6. Notification requirements

FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

7. Opportunities to Object and Appeals

Where applicable, when FEMA terminates the federal award, the written notification of termination will provide the opportunity and describe the process to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.

M. Best Practices

While not a requirement in the DHS Standard Terms and Conditions, as a best practice: Entities receiving funds through this program should ensure that cybersecurity is integrated into the design, development, operation, and maintenance of investments that impact information technology (IT) and/ or operational technology (OT) systems. Additionally, "The recipient and subrecipient must take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information." 2 C.F.R. § 200.303(e).

N. Payment Information

Recipients will submit payment requests in FEMA GO for awards associated with this funding opportunity under this program.

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 C.F.R. § 200.305. These measures ensure

funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment, recipients will be notified by FEMA GO and the payment will be delivered pursuant to the recipient's SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." See 2 C.F.R. § 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

Submission Process

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

1. Grant ID / Award Number
2. Total amount requested for drawdown
3. Purpose of drawdown and timeframe covered (must be within the award performance period)
4. Subrecipient Funding Details (if applicable).
 - Is funding provided directly or indirectly to a subrecipient?
 - o If no, include statement "This grant funding is not being directed to a subrecipient."
 - If yes, provide the following details:
 - o The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
 - o Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
 - o Whether the payment request includes an activity involving support to aliens.
 - o Whether the subrecipient has any diversity, equity, and inclusion practices.³

5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under 2 CFR part 200 and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

O. Immigration Conditions

A recipient under this funding opportunity must comply with the FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025), unless an exception applies as stated in this Notice of Funding Opportunity. As stated above, Paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) and paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) do not apply to any federal award under this funding opportunity. The FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025) are available at www.dhs.gov/publication/dhs-standard-terms-and-conditions.

10. Other Information

A. Period of Performance Extension Requests

Extensions to the period of performance (POP) for this program are allowed but are not automatic. Recipients must submit formal, written extension requests to FEMA at least 90 days prior to the award POP expiration. Recipients are advised to coordinate with the FEMA Regional Hazard Mitigation Assistance Specialist as needed when preparing an extension request. All extension requests must address the following criteria:

1. Timely request: Extension requests must be made at least 90 days prior to the award POP expiration.
2. Status and Evidence of Substantial Activity:
 - a. Program name, fiscal year, and award number;
 - b. Status of key activities;
 - c. Recent progress/performance reports demonstrate meaningful progress (e.g., implementation underway, contracts executed, drawdowns occurring).
3. Reporting and compliance: All required programmatic and financial reports must be current, accurate and submitted. There must be no substantial unresolved monitoring findings or compliance issues.
4. Justification for Extension: The request must include a clear explanation of the specific issue(s) requiring more time, including external or mitigating circumstances.
5. Budget: The request must include a summary of remaining federal and non-federal funds and how they will be used during the extended period of performance.
6. Completion Plan: The request must include an updated plan for completion, including major milestones, timeframes and responsible parties, and confirmation that the work/project can be completed within the requested extension without significant scope changes.
7. Appropriations Limits: The period of performance must not exceed 8-years.

Extension requests will be granted only when compelling legal, policy or operational factors exist, including:

1. Contractual commitments with vendors that cannot be completed within the period of performance;
2. Environmental planning or historic preservation reviews that extend beyond the current period of performance;
3. Long-duration projects whose acceleration would undermine program objectives;
4. The delay is FEMA's fault; or
5. Other documented extenuating circumstances.

No additional federal funds will be awarded as part of POP extensions. Recipients should submit all proposed extension requests to FEMA for review and approval at least 90 days prior to the end of the POP to allow sufficient processing time.

B. Other Information

a. Environmental Planning and Historic Preservation (EHP) Compliance

FEMA is required to consider effects of its actions on the environment and historic properties to ensure that activities, grants, and programs funded by FEMA comply with federal EHP laws, Executive Orders, regulations, and policies.

Recipients and subrecipients proposing projects with the potential

to impact the environment or cultural resources, such as the modification or renovation of existing buildings, structures, and facilities, and/or new construction and/or replacement of buildings, structures, and facilities, must participate in the FEMA EHP review process. This includes conducting early engagement to help identify EHP resources, such as threatened or endangered species or historic properties; submitting a detailed project description with supporting documentation to determine whether the proposed project has the potential to impact EHP resources; and, identifying mitigation measures and/or alternative courses of action that may lessen impacts to those resources.

FEMA is sometimes required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies. FEMA may recommend mitigation measures and/or alternative courses of action to lessen impacts to EHP resources and bring the project into EHP compliance.

EHP guidance is found at Environmental Planning and Historic Preservation. The site contains links to documents identifying agency EHP responsibilities and program requirements, such as implementation of the National Environmental Policy Act and other EHP laws, regulations, and Executive Orders. DHS and FEMA EHP policy is also found in the EHP Directive & Instruction.

All FEMA actions, including grants, must comply with National Flood Insurance Program (NFIP) criteria or any more restrictive federal, state, or local floodplain management standards or building code (44 C.F.R. § 9.11[d][6]). For actions located within or that may affect a floodplain or wetland, the following alternatives must be considered: a) no action; b) alternative locations.

Executive Orders 11988 and 11990: Protection of Wetlands, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal and safety considerations. FEMA's regulations at 44 C.F.R. Part 9 implement the EOs and require an 8-step review process if a proposed action is located in a floodplain or wetland or has the potential to affect or be affected by a floodplain or wetland.

The regulation also requires that the federal agency provide public notice of the proposed action at the earliest possible time to provide the opportunity for public involvement in the decision-making process (44 C.F.R. § 9.8). Where there is no opportunity to relocate the federal action, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages to the floodplain or wetland.

Through this NOFO, FEMA is giving initial public notice of grant opportunities that may be funded under the Building Resilient Infrastructure and Communities program, consistent with the requirements of Section 9.8. The public is invited to participate in the process of identifying alternatives to locating a proposed project in the floodplain or wetland and analyzing the impacts of the alternatives on the floodplain or wetland. Comments may be provided by emailing FEMA-OEHP-NOFOQuestions@fema.dhs.gov within 15 days of BRIC grant selections. While analyzing alternatives, FEMA may determine there are no practicable alternatives to carrying out the proposed work within the floodplain or wetland. Relocating facilities may not be practicable and could adversely impact affected communities socially and economically.

In addition, no alternative actions may be practicable that serve the same purpose and have less potential to affect or be affected by the floodplain. In the course of developing project proposals, subsequent project specific public notices will be published, if necessary, as more detailed information becomes available.

The GPD EHP screening form is located at https://www.fema.gov/sites/default/files/documents/fema_ehp-screening_form_ff-207-fy-21-100_5-26-2021.pdf.

Additionally, all recipients under this funding opportunity are required to comply with the FEMA GPD EHP Policy Guidance, FEMA Policy #108-023-1, available at https://www.fema.gov/sites/default/files/documents/fema_gpd-ehp-policy-guidance.pdf.

b. Procurement Integrity

When purchasing under a FEMA award, recipients and subrecipients must comply with the federal procurement standards in 2 C.F.R. §§ 200.317-200.327. To assist with determining whether an action is a procurement or instead a subaward, please consult 2 C.F.R. § 200.331. For detailed guidance on the federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team (PDAT). Additional resources, including an upcoming trainings schedule can be found on the PDAT Website: <https://www.fema.gov/grants/procurement>.

Under 2 C.F.R. § 200.317 when procuring property and services under a federal award, States (including territories) and Indian Tribes, must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states and Indian Tribes must now follow 2 CFR § 200.322, regarding domestic preferences for Procurements and 2 CFR § 200.327 regarding required contract provisions.

Local government and nonprofit recipients or subrecipients must have and use their own documented procurement procedures that reflect applicable State, Local, Tribal, and Territorial (SLTT) laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200.

1. Important Changes to Procurement Standards in 2 C.F.R. Part 200

On April 22, 2024, OMB updated various parts of Title 2 of the Code of Federal Regulations, among them the procurement standards. These revisions apply to all FEMA awards with a federal award date or disaster declaration date on or after October 1, 2024, unless specified otherwise. The changes include updates to the federal procurement standards, which govern how FEMA award recipients and subrecipients must purchase under a FEMA award.

More information on OMB's revisions to the federal procurement standards can be found in Purchasing Under a FEMA Award: 2024 OMB Revisions Fact Sheet.

2. Competition and Conflicts of Interest

2 CFR § 200.319(b), applicable to local government and nonprofit recipients or subrecipients, requires that contractors that develop or draft specifications, requirements statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a recipient or subrecipient develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the recipient or subrecipient.

Under this prohibition, unless the recipient or subrecipient solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317-200.327, federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

In addition to organizational conflicts of interest, situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

Under 2 C.F.R. § 200.318(c)(1), local government and nonprofit recipients or subrecipients are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the recipient or subrecipient may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The recipient's or subrecipient's standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.

Under 2 C.F.R. 200.318(c)(2), if the local government and nonprofit recipient or subrecipient has a parent, affiliate, or subsidiary organization that is not a SLTT government, the recipient or subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the recipient or subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The recipient or subrecipient must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

3. Supply Schedules and Purchasing Programs

Generally, a recipient or subrecipient may seek to procure goods or services from a federal supply schedule, state supply schedule, or group purchasing agreement.

4. Procurement Documentation

Per 2 C.F.R. § 200.318(i), local government and nonprofit recipients or subrecipients are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price. States and Indian Tribes are reminded that in order for any cost to be allowable, it must be adequately documented per 2 CFR § 200.403(g).

Examples of the types of documents that would cover this information include, but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.

c. Financial Assistance Programs for Infrastructure

1. Recipients and subrecipients must comply with FEMA's implementation requirements of the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also 2 C.F.R. Part 184, Buy America Preferences for Infrastructure Projects and Office of Management and Budget (OMB), Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

None of the funds provided under this program may be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov

2. Waivers

When necessary, recipients (and subrecipients through their pass-through entity) may apply for, and FEMA may grant, a waiver from these requirements.

A waiver of the domestic content procurement preference may be granted by the agency awarding official if FEMA determines that:

- Applying the domestic content procurement preference would be inconsistent with the public interest, or
- The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality, or
- The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25%.

The process for requesting a waiver from the Buy America preference requirements can be found on FEMA's website at: "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov.

3. Definitions

For definitions of the key terms of the Build America, Buy America Act, please visit Programs and Definitions: Build America, Buy America Act | FEMA.gov.

d. Mandatory Disclosures

The non-Federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award, 2 CFR § 200.113.

e. Adaptive Support

Pursuant to Section 504, of the Rehabilitation Act of 1973, recipients of FEMA financial assistance must ensure that their programs and activities do not discriminate against qualified individuals with disabilities.

f. Record Retention

1. Record Retention Period

Financial records, supporting documents, statistical records, and all other non-federal entity records pertinent to a federal award generally must be maintained for at least three years from the date the final FFR is submitted. See 2 C.F.R. § 200.334. Further, if the recipient does not submit a final FFR and the award is administratively closed, FEMA uses the date of administrative closeout as the start of the general record retention period.

The record retention period may be longer than three years or have a different start date in certain cases.

2. Types of Records to Retain

FEMA requires recipients and subrecipients to maintain the following documentation for federally funded purchases:

- Specifications
- Solicitations
- Competitive quotes or proposals
- Basis for selection decisions
- Purchase orders

- Contracts
- Invoices
- Cancelled checks

g. Actions to Address Noncompliance

Non-federal entities receiving financial assistance funding from FEMA are required to comply with requirements in the terms and conditions of their awards or subawards, including the terms set forth in applicable federal statutes, regulations, NOFOs, and policies. Throughout the award lifecycle or even after an award has been closed, FEMA or the pass-through entity may discover potential or actual noncompliance on the part of a recipient or subrecipient.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per 2 C.F.R. § 200.208 and 2 C.F.R. § 200.339. FEMA may place a hold on funds until the matter is corrected, or additional information is provided per 2 C.F.R. § 200.339, or it may do both. Similar remedies for noncompliance with certain federal civil rights laws are authorized pursuant to 44 C.F.R. Part 7 and 44 C.F.R. Part 19 or other applicable regulations.

If the noncompliance is not able to be corrected by imposing additional conditions or the recipient or subrecipient refuses to correct the matter, FEMA may take other remedies allowed under 2 C.F.R. § 200.339.

h. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS OIG, the GAO, the pass-through entity, or independent auditing firms for single audits, and may cover activities and costs incurred under the award. Auditing agencies such as the DHS OIG, the GAO, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award.

i. Extraordinary Circumstances

Applicants and subapplicants must have a current FEMA approved mitigation plan at the time of application deadline and at the time of the award to receive BRIC project subawards; hazard mitigation plans that are approvable pending adoption are not sufficient. The FEMA Regional Administrator may grant an exception to the plan requirement for subapplicants, including Tribal nations applying as subapplicants to a state or territory, in extraordinary circumstances when the appropriate justification is provided.

Extraordinary circumstances exist when FEMA or the applicant determine that the proposed project is consistent with the priorities and strategies identified in the state or tribal (standard or enhanced) hazard mitigation plan and that the jurisdiction meets at least one of the criteria below:

- The jurisdiction meets the small impoverished communities criteria.
- The jurisdiction has been determined to have had insufficient capacity because of lack of available assistance, staffing or other necessary expertise to satisfy the hazard mitigation planning requirement prior to the current disaster or application deadline.
- The jurisdiction experienced significant disruption from a declared disaster or another event that impacts its ability to complete the hazard mitigation planning process prior to award or final approval of a project award.
- The jurisdiction does not have a hazard mitigation plan for reasons beyond the control of the state, federally recognized Tribal government or local community, such as Disaster Relief Fund restrictions, that delay FEMA from granting a project subaward prior to the expiration of the local or tribal hazard mitigation plan.

Prior to award, the applicant must provide written justification, specific to each subapplication, that identifies the specific criteria from the above list and explains why the jurisdiction will be able to have a plan both approved by FEMA and adopted by the jurisdiction within 12 months. The justification must identify the specific actions or circumstances that have eliminated or will eliminate the deficiency that prevented the jurisdiction from previously having an approved plan. The justification must clearly demonstrate how the above circumstances impacted the community beyond just stating the above circumstances.

If FEMA grants an extraordinary circumstances exception, a local or tribal hazard mitigation plan must be approved by FEMA within 12 months of the award of the project subaward to that community. The recipient must acknowledge in writing to the Regional Administrator that the jurisdiction will complete a plan within 12 months of the project subaward. The recipient must provide a Compliance Action Plan for completing the local or tribal hazard mitigation plan, including milestones and a timetable, to ensure the jurisdiction will complete the plan in the required time. This requirement must be incorporated into the award. If a plan is not provided within this time frame, the project subaward will be terminated, and any costs incurred after notice of subaward termination will not be reimbursed by FEMA. FEMA must notify the recipient of the subaward termination. For more information on award termination, refer to the HMA Guide, Part 8, L. Award Termination.

If the hazard mitigation plan is not approved by FEMA within 12 months of the project subaward, FEMA should notify the recipient of its failure to meet the additional specific award or subaward conditions and request that the issue be corrected following remedies for non-compliance procedures in the HMA Guide, Part 8, K. Remedies for Noncompliance.

j. Integrating Hazard Mitigation and Planning

FEMA encourages state, local, tribal and territorial governments to pursue hazard mitigation planning and infrastructure projects with co-benefits that advance shared community outcomes such as economic resilience.

Alignment with SLTT planning mechanisms (economic development, housing, comprehensive plans, transportation plans, building codes, floodplain ordinances, etc.) is vital to building safer, more resilient communities. This two-way exchange of hazard mitigation principles, risk and vulnerability assessments, and hazard mitigation strategies supports risk reduction, both before and after disasters occur. Not only will SLTT planning efforts be better integrated, but by going through this process there is a higher level of interagency coordination, which is just as important as the planning mechanisms themselves. Additional information on hazard mitigation planning policies, training, and Planning Integration can be found at the FEMA Implement, Integrate and Maintain Mitigation Planning Activities and the American Planning Association Hazards Planning webpage.

k. Hazard-Resistant Building Codes

Hazard-resistant building codes are a foundational element of a more resilient nation, safeguarding communities and lives against natural disasters, with an estimated \$11:1 return on investment. The adoption, enforcement and application of modern building codes mitigates community vulnerabilities, reduces disaster recovery costs, and strengthens nationwide capability. FEMA is working to promote and support building codes in all areas of its work. In the interest of building a stronger, more resilient nation, FEMA encourages all grant recipients and subrecipients to meet current published editions of relevant consensus-based building codes, specifications, and standards, and to exceed them where feasible.

l. Request for Information

In order to ensure faster obligations after selection, if a subapplication does not meet the administrative or procedural information requirements, FEMA will request additional information in the form of a formal RFI. For BRIC, an RFI will not occur until after selection because of the competitive nature of the program. Applicants are responsible for coordinating with the subapplicant to get the required information. Failure to provide the requested information by the final deadline identified in the request may result in denial if eligibility cannot be determined. Further details on the RFI process and timelines may be found in the HMA Guide, Part 6, G. Requests for Information.

m. Appendices

1. Abbreviations

- AOR: Authorized Organizational Representative
- BCA: Benefit Cost Analysis
- BCEGS: Building Code Effectiveness Grading Schedule
- BRIC: Building Resilient Infrastructure and Communities
- C.F.R.: Code of Federal Regulations

- DHS: Department of Homeland Security
- EHP: Environmental Planning and Historical Preservation
- EO: Executive Order
- FEMA: Federal Emergency Management Agency
- FEMA GO: FEMA Grants Outcomes
- HMA: Hazard Mitigation Assistance
- IBC: International Building Code
- ICC: International Code Council
- IRC: International Residential Code
- NEPA: National Environmental Policy Act
- NGO: Non-Governmental Organization
- POP: Period of Performance
- SLTT: State, Local, Tribal and Territorial

2. Resources

- Building Resilient Infrastructure and Communities (BRIC): <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>
- BRIC Program Support Materials: <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/resources>
- “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure: <https://www.fema.gov/grants/policy-guidance/buy-america>
- Environmental Planning and Historical Preservation (EHP): <https://www.fema.gov/emergency-managers/practitioners/environmental-historic>
- FEMA Benefit Cost Analysis (BCA): <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>
- FEMA Create a Hazard Mitigation Plan: <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/create-hazard-plan>
- FEMA GO: <https://go.fema.gov/>
- FEMA Hazard Mitigation Assistance Cost Share Guide: https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf
- FEMA Hazard Mitigation Assistance Program and Policy Guide (HMA Guide): <https://www.fema.gov/grants/mitigation/guide>
- FEMA Nationwide Building Code Adoption Tracking: <https://www.fema.gov/emergency-managers/risk-management/building-science/bcat>
- FEMA Resilience Analysis and Planning Tool (RAPT): <https://www.fema.gov/rapt>
- State Hazard Mitigation Officers: <http://www.fema.gov/state-hazard-mitigation-officers>
- Tools to Assist with FEMA Grants: <https://www.fema.gov/grants/tools>

¹ The term “federally recognized tribal nations,” as used in this funding opportunity, has the same meaning as “Indian tribal government,” as defined at 42 U.S.C. § 5122(6).

² Infrastructure is defined as critical physical structures, facilities, and systems that provide support to a community, its population, and economy. This definition includes natural systems.

³ Pursuant to the preliminary injunction order issued on November 21, 2025, in County of Santa Clara et al. v. Noem, et al., No. 25-cv-08330-WHO (N.D. Cal.), Paragraph C.XVII of the DHS Standard Terms and Conditions titled “Anti-Discrimination” does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective.

Pursuant to the preliminary injunction order issued on November 21, 2025, in City of Chicago et al. v. Noem, et al., No. 25-CV-12765 (N.D. Ill.), Paragraph C.XVII of the DHS Standard Terms and Conditions titled “Anti-Discrimination” does not apply to awards or

subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective.

Pursuant to the preliminary injunction order issued on October 31, 2025, in *City of Seattle v. Trump, et al.*, No. 2:25-cv-01435-BJR (W.D. Wa.), Paragraph C.XVII of the DHS Standard Terms and Conditions titled “Anti-Discrimination” does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective.

As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if any of these preliminary injunctions are stayed, vacated, or extinguished.

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE

Division of Criminal Justice Services

Pursuant to the federal program requirements for the Edward Byrne Memorial Justice Assistance Grant (JAG) FFY 2025 program solicitation, the NYS Division of Criminal Justice Services (Division) hereby gives notice regarding New York State's application for such funding:

On April 14, 2026, the Division will submit a funding application requesting New York State's federal fiscal year (FFY) 2025 award of \$9,522,245 appropriated under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The application generally describes the proposed program activities for the four-year grant period and the types of programs for which funding will be used.

This application is required to be made available for a 30-day period for public review and comment. The application will be available on the Division's website, and requests for copies may be made via e-mail to: funding@dcjs.ny.gov. Requests may also be made in writing or by calling the Division offices during regular business hours. If a paper copy of the application is requested, a payment of \$0.25 per page will be due to the Division in accordance with Public Officer Law § 87.

For further information, contact: Division of Criminal Justice Services, Cillian Flavin, Deputy Commissioner, 80 S. Swan St., Albany, NY 12210, (518) 457-8462 funding@dcjs.ny.gov

PUBLIC NOTICE

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

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

The State Comptroller, pursuant to Sections 109(a) and 409(a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement System, a listing of beneficiaries or

estates having unclaimed amounts in the Retirement System. A list of names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at 110 State St., in the City of Albany, New York.

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

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

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

Beneficiary Name	Beneficiary City
Abbondandolo, Carmine	GLEN COVE
Albert, Estate of Patricia J	HAMBURG
Arva, Kristin Lynn	AVON
Bachus, Nafeeza	SYRACUSE
Baisley, Alan R	MONROE
Balcom, Vicki Jo	HOBE SOUND
Baratta, Estate of Rosemarie	ISLAND PARK
Barnes, Joleen	RICHMOND
Barnes, Leona	RICHMOND
Barnes, Lorraine	RICHMOND
BARTOLOMEO, PATRICIA	MONTOUR FALLS
Beach, John English	SCHENECTADY
Becker, Estate of Barbara	HIGH FALLS
Bitetti, John	BROOKLYN
Bitetti, Paul	PLAINVIEW
Bitetti, Vanessa	PLANTATION
BLANK, SUSAN	MONTOUR FALLS
Blazer, Theodore T	LAKE PLACID
Blount, Isaac S	SYRACUSE
BREMBS, MALINKA LEE	ALBANY
BREMBS, MICHAEL JOHN	VALATIE
Brenda Vulcano, Estate Of	Elizabeth
Brice, Jannine A	SAVANNAH
Brooks, Jean E	SARANAC LAKE
Brown, Judy M	ENDICOTT
Brunson, Stacy P	NEW ROCHELLE
Bryant, Estate of Lee E	ROME
Bunting, Estate of Jeanne	MIDDLETOWN
Burrus, Mark A	BROOKLYN
Bush, Estate of Thomas	WATKINS GLEN
Capone, Kristen Z	BAYPORT
Castleman, Peter Royal	MASSENA

Catarelli,Estate of Louise Virginia Beach
Christoff,Joann CHENANGO FKS
Clayburne,Estate of Irene HAMPTON
Cockerham,Joyce M SCHENECTADY
Columbo,Colleen M GREENWICH
Coole,Amber N VILLA RICA
Coy,Colleen UTICA
Crisci,Cynthia GENEVA
Crotty,Estate of Doris M FARMINGVILLE
Culen,Estate of Helen M HIGHLAND
Dalas E Millett,Estate of WATERFORD
Dambra,Margaret A THE VILLAGES
Davenport,Nathan ADAMS CENTER
Davenport,Norma J WASHINGTON
Davis,Estate of Teri A WALLKILL
DE FOE,MARY LOU SYRACUSE
De Luise,Corinne NEW YORK
De Luise,Paul THAXTON
Dean,John H GALVESTON
DeGroat,Estate of Terrance L Port Jervis
Demperio,Estate of Kim SYRACUSE
Derk,Andrew P HALFMOON
DETOLEDO,LAURA D NEW YORK
Diane A Wheaton,Estate Of RONKONKOMA
Digiorgio,Rosa L HILLBURN
Dowdle,Kim A PLATTSBURGH
Dubitsky,Peter E ROSENDALE
Eastman,Estate of Louise M Tallahassee
Edward J Spychalski,Estate of MECHANICVILLE
Erchak,Alexei NORTH EASTON
Erchak,Ivan SARATOGA SPGS
Fantauzzi,Sherron CLINTON
Farley,Gareth Ferguson EAST AMHERST
Faust,Gail ROCHESTER
Fitzgerald,Neil T ELM CITY
Flachs,Suzanne THIELLS
Flood,Estate of William STATEN ISLAND
Fonda,Elizabeth G POUGHKEEPSIE
Fox,Estate of Mary M SYRACUSE
Francis,Carrie LIVERPOOL
Francis,Chad HENDERSON
Francis,Daniel BOULDER CITY
Frazier,Mary L BUFFALO
Freiberger,John MAMARONECK
Garrett,Lynda J POTTSBORO
Golubski,Estate of Anita R Fredonia
Gotlib,Nancy LORDS VALLEY
Granatoor,Nancy FLORAL PARK
Guthinger,Matthew C GLENS FALLS
Hack,Carol J GROTON
Hafensteiner,Estate of Laura SELKIRK
Hall,Ebony JACKSONVILLE
Hamel,Patricia PUTNAM STA
Hawkins,Jacqueline E ROME
Hawkins,Marilyn L ROME
Haynes,Duane BRENTWOOD
Heisler,Shane R HAMBURG
Helsper,Lena G JEFFERSON
Hines,Deana BROOKLYN
Hirsch,Brett DELRAY BEACH
Hirsch,Matthew PELHAM
Hoff,Peggy S ROCHESTER
Holman,Roy L ROCHESTER
Hoyte,Tracey J ROOSEVELT
Hull,Estate of Miranda Gering
Hunter,Estate of Beverly J LISBON
Jackson,Drew S E NORTHPORT
Jaensch,Estate of Hans Adolf ELLSWORTH
Janeski,Dolores H OAK RIDGE
Janet M Justinger,Estate of ALDEN
Janet Nichols,Estate of WILLIAMSVILLE
Johnson,Anthony R MCDONOUGH
Johnson,Sean FISHKILL
Joseph,Norman M MIDLOTHIAN
Kaplan,Linda PIERMONT
Kay,Mary Ellen BROOKLYN
Keith,Estate of Dorothy E ELBRIDGE
Kelly,Robert K MIDDLETOWN
Kiernan,Elaine I TOMKINS COVE
King,Julia A HOGANSBURG
King,Robert J HOGANSBURG
King,William J HOGANSBURG
Kittle,Lori WHITESBORO
Koch,Kimberly MASTIC
Lahait,Deborah A SCHENECTADY
LaHendro,Estate of William J Westport
Langton,Candy FARMINGTON
Lawrence C Hardisty,Estate of AMENIA
Lewis,Estate of Lois ORLANDO
Linden,Mildred C WHITEVILLE
Lonsten,Julie S ELLENVILLE
Look,Ryan HUNTINGTON
Lucas,Mary M HOT SPRINGS VILLAGE
Luch,Estate of Anne M Niagara Falls
Mac Donnell,Daniel A SALEM
Maxwell,Kathy A HIGHLAND
Maye,John B SARANAC
Maynard G Gier,Estate Of Irving
Mazzella,Anthony COPIAGUE
Mazzella,Estate of Catherine PALM COAST
Mc Bride Cloutier,Patricia M FORT WORTH
Mc Grath,Michael BUFFALO
Mc Grath,Nathan BUFFALO
Mc Guire,Barbara BRIGHTWATERS
Mc Guire,Joan WEST ISLIP
Mc Guire,Maryann WEST ISLIP
McCaffrey,Estate of Bernard F WEST BABYLON
Mcdermott,Joseph M DUNNELLO
McDonald,Paul Linwood LIHUE
McDowell,Johnny BOILING SPGS
Memillan Jr,Arthur MIDDLETOWN
McVay,Estate of Ruth M Attica
Michener,Michelle GLOVERSVILLE
Middendorf,Glen BRINY BREEZES
Miller,David BEEBE
Miller,Donna D BUFFALO
Miller,Joseph CHICAGO
Millerd,Jeffery S STANLEY

Milliman, Kathleen CLIFTON SPGS
 Millspaugh, David R PLYMOUTH
 Mirro, Estate of Adrienne M BROOKLYN
 Moehrle, Brian ELKINS
 Mooney, Thomas J ELLENTON
 Morales, Andrea L HOLBROOK
 MORCOS, MERVET CANADA
 MORCOS, MICHAEL CANADA
 Morvant, Russell L HENDERSON
 Mossey, Estate of Gene CHAMPLAIN
 Murphy III, James A BUFFALO
 Nathan P Judson, Estate of NEWPORT
 Oliver, Jean P. BAY SHORE
 Ouellette, Richard Leon WARRENSBURG
 Panetta, Gerry RENSSELAER
 Petrie, Estate of John R HOMER
 Pierre, Estate of Denise S POMONA
 Pinchbeck, Estate of Helen N FT MYERS
 Pisano, Irene CENTEREACH
 Prieter, Jennifer D RONKONKOMA
 Pryor, Barbara ALBANY
 Pugliese, Andrew WEST ISLIP
 Rabson, Diane BOULDER
 Rabson, Joyce NORTH EASTON
 Racalbutto, Estate of Jeanette E Selden
 RAMUNDO, ANGELINE WATERVLIET
 Randazzo, Christine SHIRLEY
 Rhein, Daniel MIDDLETOWN
 Rhinehart, Randy BEMUS POINT
 Ridgeway, Estate of Hilton SALEM
 Robert Kelly, Estate of LATHAM
 Rockerfeller, Estate of Elizabeth HUNTINGTN BCH
 Ruchalski, Wayne CARLISLE
 RUNDIE, MAGDA CANADA
 Ruskay, Christopher J TUCSON
 Ruskay, Peter J BEAVERTON
 Russell, Sandra PT CHARLOTTE
 Saint Mary of Namur, Sisters of BUFFALO
 Sakowitz, Mindy HOLLYWOOD
 Schear, Estate of Angeline THE VILLAGES
 Schmeichel, Gail A BUFFALO
 Scott, Richard BROOKLYN
 Seppa, Estate of Judith Moore MELBOURNE
 Seppa, Stephen A MELBOURNE
 Shankey, Deirdre YORKTOWN HTS
 Shea, John ILION
 Shinn, Kevin M MYRTLE BEACH
 Shipman, Estate of Janice E CHRISTIANSBRG
 Ships, Estate of Dolores Augusta LINDENHURST
 Shirley S Galpin, Estate Of MAYFIELD
 Sigond, Kelley Frances MECHANICVILLE
 Smith, Estate of Irene B Medina
 Snetzko, Chris M CRYSTAL RIVER
 Snyder, Estate of Kathleen A Canajoharie
 Stephens, Pamela ROCHESTER
 Stiefel, Sheila BALTIMORE
 Storey, Estate of Stephen D EAST MEREDITH
 Swan, Susan M WATKINS GLEN
 Sweeney Jr, William G HILLSDALE

Sweeney, Estate of Mary HILLSDALE
 Swift, Ruth V SLINGERLANDS
 Tarbrake, Estate of Peter H Hagerstown
 Tate, Olen SLINGERLANDS
 TERRANCE, ABRAM C HOGANSBURG
 Theodore F Braithwaite, Estate Of COLUMBUS
 Timothy Northrup, Estate of SUMMERFIELD
 Tramanata, Estate of Salvatore FLORAL PARK
 Walsh, Estate of Gwendolyn WILLIAMSON
 Walsh, Estate of Jacqueline R LAKE GEORGE
 Wanda Spearance, Estate of KINGSPORT
 Weekes, Estate of Yvonne Nona NEW YORK
 Weissman, Neil B CARLISLE
 Wentworth, Gail M SYRACUSE
 West, Estate of Arthur MANCHESTER
 Widstrand, Estate of Evelyn A BROOKLYN
 Wilson, Sonya WHEATLEY HTS
 Wood, Estate of Earline J OSWEGO
 Wood, Estate of Karen LAKE VIEW
 Wood, Kimberly A LAKE VIEW
 Young, Shnequa A JAMAICA
 Ziegler, Estate of Elizabeth WEBSTER
 Zilko, Lawrence B ROSLYN HEIGHTS
 Zimmiewicz, Paul M BUFFALO
 Zimmiewicz, Sheri Ann BUFFALO

PUBLIC NOTICE

Department of State

F-2026-0176

Date of Issuance – April 22, 2026

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

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2026-0176, City of New York Dept. of Sanitation (DSNY), is applying for 10-year maintenance dredging permit to allow periodic maintenance dredging of the existing Southwest Brooklyn MTS located on the eastern shore of Gravesend Bay. Dredging would be completed to a depth of 19' below MLW with an allowable 2' overdredge for a total of up to 21' MLW. Dredging up to 2,920 cy of sediment per event in an area encompassing approximately 40,360 square feet. It is anticipated that the initial maintenance dredging event would remove approximately 2,920 cubic yards of sediment. It is currently expected that up to three maintenance dredging events would occur over the 10-year term of the proposed permit based upon historic operations at the MTS. The proposed project would be located at 400 Bay 41st Street, Brooklyn, NY, 11214, on Gravesend Bay, City of Brooklyn, Kings County.

The stated purpose of the proposed action is "Marine operations at the MTS require a depth of approximately 19.0 feet below mean low water (MLW) to allow for unimpeded access to the facility by barges and tugboats."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/f-2026-0176.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by

filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 22, 2026.

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

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

PUBLIC NOTICE

Department of State
F-2026-0180

Date of Issuance – April 22, 2026

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

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

In F-2026-0180, Spectrum Northeast, LLC is proposing to install a fiber optic cabling within a 2" conduit underneath Sodus Bay and attaching to existing utility poles on Newark Island, LeRoy Island, Eagle Island, and Crescent Beach. A total of 5,029 feet of cable is proposed. The project is located on Sodus Bay, Town of Huron, Wayne County, NY 14455.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/f-2026-0180> or at <https://dos.ny.gov/public-notices>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice or May 7, 2026.

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

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

PUBLIC NOTICE

Department of State
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.

2026-0180 Matter of Mark Anthony Architects, Mark Anthony Munisteri, 1563 Bellmore Avenue, Bellmore, NY 11710, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 364 Maple Street, Town of Hempstead, County of Nassau, State of New York.

2026-0187 Matter of Catherine Alessi, 4 Meadow Gate East, St. James, NY 11780, for a variance concerning safety requirements,

including basement height requirements. Involved is an existing dwelling located at 12 Fowler Lane, Town of Brookhaven, County of Suffolk, State of New York.

2026-0191 Matter of Paul Nunez, 18 Brouwer Lane, Rockville Centre, NY 11570, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 37 Hilton Avenue, Town of Hempstead, County of Nassau, State of New York.

2026-0194 Matter of Franklin Rosalia, 244 Edge of Woods Road, Southampton, NY 11968, for a variance concerning safety requirements, including height requirements. Involved is an existing dwelling located at 244 Edge of Woods Road, Town of Southampton, County of Suffolk, State of New York.

2026-0195 Matter of City Plans and Permits, Vincent Greco, 2004 Newbridge Road, Bellmore, NY 11710, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 110 Powell Place, Village of Hempstead, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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2026-0190 In the Matter of Ishan and Hafiza Khowaja, 35 Annette Way, Jericho, NY, for a variance concerning life safety issues for basement ceiling height requirements located at 4 Allis Court, Melville in the Town of Huntington, County of Suffolk, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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2026-0192 In the Matter of Molinelli Architects, 279 Sleepy Hollow Road, Briarcliff Manor, NY 10510, for a variance concerning safety requirements, including egress height. Involved is a one family dwelling located at 23 Hazelton Circle, Village of Briarcliff Manor, County of Westchester, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petition's 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. People 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.

2026-0193 In the Matter of Ryan Arvin, 52 Danner Avenue, Har-

ri-son, NY 10528, for a variance concerning safety requirements, including stairway headroom, width, and landings. Involved is a one family dwelling located in the Town of Harrison, County of Westchester, State of New York.

EXECUTIVE ORDERS

Executive Order No. 52.7: Extending the Declaration of a Disaster in the State of New York Due to Federal Actions Related to Vaccine Access.

WHEREAS, the federal government has recently taken a series of actions that appear contrary to public health, including with respect to the administration of the Department of Health and Human Services, the Food and Drug Administration, and the Centers for Disease Control and Prevention, and such entities' vital functions in protecting public health, including with respect to the administration of federal law concerning vaccines;

WHEREAS, as a result of these actions by the federal government, pharmacies in New York imposed restrictions on the administration of the COVID-19 vaccines, jeopardizing the State's ability to support public health and safety through prevention;

WHEREAS, to ensure that the State retains its ability to support public health and safety, on September 5, 2025, I issued Executive Order 52 declaring a State Disaster Emergency in the State of New York arising from these actions by the federal government; and

WHEREAS, these actions by the federal government continue to jeopardize the State's ability to support public health and safety;

NOW THEREFORE, I Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Article 2-B of the Executive Law, do hereby find a continued need for a statewide disaster emergency order and do hereby extend the State Disaster Emergency as set forth in Executive Order Number 52 and continue the terms, conditions, and suspensions contained therein through and including April 19, 2026.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this 20th day of March in the year two thousand twenty-six.

BY THE GOVERNOR

/S/ Kathy Hochul

/s/ Karen Persichilli Keogh

Secretary to the Governor

APPENDIX

The map on the following page was filed with a Notice of Proposed Rule Making pertaining to Control of the European

Cherry Fruit Fly, I.D. AAM-16-26-00004-P published in this issue of the State Register.

