

---

**NEW YORK STATE**

---

# **REGISTER**

---

***INSIDE THIS ISSUE:***

- Frequency of Inspections and Testing of Devices
- Hospital Cybersecurity Requirements
- Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)

**Executive Orders**

**Court Notices**

---

State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

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

- the 60-day period expires on February 4, 2024
- the 45-day period expires on January 20, 2024
- the 30-day period expires on January 5, 2024

**KATHY HOCHUL  
GOVERNOR**

**ROBERT J. RODRIGUEZ  
SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

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

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

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

The *New York State Register* is now available on-line at:  
[dos.ny.gov/state-register](http://dos.ny.gov/state-register)



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

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

 printed on recycled paper

---

# NEW YORK STATE REGISTER

---

## Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* ([www.dos.ny.gov](http://www.dos.ny.gov)) may send public comment via electronic mail to those recipients who provide an e-mail address 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 law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice 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 on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration 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) 455-5091 or 455-2731

---

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

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

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



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

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website ([www.dos.ny.gov](http://www.dos.ny.gov))

**Rule Making Activities**

**Agriculture and Markets, Department of**

1 / Frequency of Inspections and Testing of Devices (P)

**Corrections and Community Supervision, Department of**

3 / Green Haven Correctional Facility (P)

**Environmental Conservation, Department of**

3 / 1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products (P)

**Financial Services, Department of**

7 / Principle-Based Reserving (A)

**General Services, Office of**

7 / Prohibited and Controlled Activities (A)

7 / Service-Disabled Veteran-Owned Business Enterprises (A)

**Health, Department of**

7 / Hospital Cybersecurity Requirements (P)

10 / Educational Requirements for Certified Emergency Medical Services Providers (P)

**Mental Health, Office of**

12 / Notice of expiration

**Public Service Commission**

12 / Erratum

12 / Joint Proposal Establishing Rate Plan (A)

12 / DPS Staff Whitepaper on Electric Vehicle Make-Ready Program Midpoint Review (A)

13 / Intra-corporate Reorganization (A)

13 / Immediate Solutions Program (A)

14 / Implementation Plan (A)

15 / Transfer of Interconnection Facilities (A)

15 / Transfer of Assets (A)

16 / Long-Term Financing Petition (A)

16 / DEI Plans (A)

16 / Transfer of Property (A)

16 / Petition for Incidental Regulation (A)

17 / Petition to Adjust Reference Capacity Price Formulas (A)

17 / Transfer of Interconnection Facilities (A)

17 / Petition for Rehearing and Reconsideration and Tariff Amendments (A)

17 / Financing Arrangement (A)

18 / Financing Petition (A)

18 / The Electric and Gas RDM Targets for Rate Years 2 and 3 (P)

19 / Notice of Intent to Submeter Electricity (P)

19 / Petition for Authorization to Utilize CWIP in Rate Base for Phase 2 Projects (P)

20 / Purchase of Renewable Energy from New Distributed Generators And/or Energy Storage Systems 30 Kilowatts or Less (P)

20 / AMI Meter Reading Charges (P)

**State, Department of**

20 / Repeal of Limits on Administrative Expenses and Executive Compensation (A)

**Temporary and Disability Assistance, Office of**

21 / Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) (E)

**Hearings Scheduled for Proposed Rule Makings / 24**

**Action Pending Index / 25**

**Securities Offerings**

79 / State Notices

**Advertisements for Bidders/Contractors**

81 / Sealed Bids

**Miscellaneous Notices/Hearings**

85 / Notice of Abandoned Property Received by the State Comptroller

85 / Public Notice

**Executive Orders**

87 / Executive Order No. 3.26: Continuing the Declaration of Disaster Emergency

**Court Notices**

89 / Rules of the Chief Administrator

89 / Rules of the Chief Administrator

# RULE MAKING ACTIVITIES

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

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

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

---

---

## Department of Agriculture and Markets

---

---

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

#### Frequency of Inspections and Testing of Devices

**I.D. No.** AAM-49-23-00008-P

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

**Proposed Action:** Amendment of subdivision 220.5(b), (c); repeal of subdivision 220.5(e); addition of new subdivision 220.5(e) to Title 1 NYCRR.

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

**Subject:** Frequency of Inspections and Testing of Devices.

**Purpose:** To modify and clarify certain device testing requirements.

**Text of proposed rule:** Subdivisions (b) and (c) of section 220.5 of Title 1 of the New York Codes, Rules and Regulations are amended to read as follows:

(b) Petroleum dispensing devices. All commercial petroleum dispensing devices and accessories, *except terminal meters*, shall be inspected and tested for accuracy at least once a year.

(c) Volumetric measures. All commercially used volumetric measures shall be inspected and checked for accuracy at least annually and shall be recalibrated at least once in every five years, except for bulk milk holding tanks, which shall be calibrated upon installation and shall be recalibrated upon request by either the producer or receiver, or whenever the weights and measures official deems it necessary. *When approved by the appropriate municipal director of weights and measures, calibrations performed*

*by the Federal Milk Market Administration shall satisfy the requirements of this subdivision.*

Subdivision (e) is repealed, and a new subdivision (e) is added to read as follows:

*(e) All devices and measures, including those set forth in this section, may be tested by the appropriate weights and measures official whenever they deem it necessary to ensure the accuracy of the device or measure.*

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

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

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

#### Regulatory Impact Statement

##### 1. Statutory Authority:

Article 2 of the Agriculture and Markets Law (AML) provides, in part, that the Commissioner shall enforce and carry into effect the provisions of the laws of the State relative to weights and measures.

Section 18 of the AML provides, in part, that the Commissioner may enact rules which shall provide generally for the exercise of powers and performance of the duties of the Department and for the enforcement of the provisions of the rules enacted.

Section 179 of the AML provides, in part, that the Commissioner, through their authorized agents, may inspect, test, calibrate, and certify the standards of weights and measures and weighing and measuring devices throughout the State, and that the Commissioner may promulgate such rules and regulations as deemed necessary to give full effect to the provisions of Article 16 of the AML. AML Article 16 generally seeks to implement a unitary regulatory system governing weights and measures throughout the State.

##### 2. Legislative Objectives:

The proposed amendments carry out the public policy objectives that the Legislature sought to advance in enacting AML Article 16, by amending testing procedures to more closely align with industry standards, while preserving the need for accurate and unitary weighing and measuring devices.

##### 3. Needs and Benefits:

NYCRR Title 1, section 220.5 titled "Frequency of Inspection and Testing of Devices" provides that all weighing devices, petroleum dispensing devices, volumetric measures, linear measures, and timing devices are to be inspected and tested at regular intervals.

The proposed rule will amend section 220.5 by: (1) removing the annual testing requirement for petroleum terminal rack meters; (2) allowing the Federal Milk Market Administration to calibrate farm bulk milk tanks, with the approval of the appropriate Weights and Measures Municipal Director; and, (3) removing annual testing requirement for timing devices and replacing subdivision (e) with a new subdivision (e) with clarifying language stating that Weights and Measures Municipal Directors have the authority to test all devices and measures as needed to ensure their accuracy.

The removal of the annual testing requirement for petroleum terminal rack meters is needed because most terminal rack meters are already tested by private companies approximately every six months, witnessed by municipal Weights and Measures personnel, making it duplicative to require Weights and Measures Municipal Directors to test on an annual basis. The current Federal Milk Market Administration procedures used to calibrate farm bulk milk tanks mirror New York State procedures, and, therefore, such procedures are an acceptable alternative to separate testing by Weights and Measures Municipal Directors. The farm bulk milk tank calibration update is needed as delays are often encountered when the Federal Milk Market Administration and the Municipal Weights and Measures attempt to schedule the testing which, may cause delays when

processing payments owed to the milk producer. Further, the repeal of subdivision (e), the mandate to test timing devices such as those used at the car wash for vacuums, on parking meters, air pumps, or laundry mat dryers is needed as the timing devices now utilize more accurate and reliable digital technology, making annual testing unnecessary. Timing devices are now proposed to be tested when deemed necessary by the corresponding Weights and Measures Municipal Director.

Regulated parties may financially benefit as this proposed rule reduces the time and financial burden previously spent on unnecessary or duplicative testing and inspection, and provides flexibility to Weights and Measures Municipal Directors in performing their duties by removing duplicative or unnecessary testing requirements. The amendments will reduce the financial burden on municipalities so that officials may focus on other duties as they deem appropriate without negatively impacting commerce. Such financial burden may include staff time and funds spent on travel to conduct inspections at the previously required testing intervals, and the completion of related paperwork and/or documentation.

#### 4. Cost:

##### a. Costs to regulated parties:

It is not anticipated that costs to regulated parties will increase through compliance with the proposed rule. Regulated parties and Weights and Measures Municipal Directors may financially benefit as this proposed rule reduces the time and financial burden, previously spent on unnecessary or duplicative testing and inspection, and providing flexibility to both regulated parties and Weights and Measures Municipal Director to focus on other duties.

##### b. Costs to agency, State and local governments:

The proposed amendments would not incur any costs to the agency, State and local governments. The proposed amendments may reduce the cost of operations as this rule reduces the time and resources dedicated to testing and inspecting devices. Such cost may include staff time and funds spent on travel to conduct inspections at the previously required testing intervals, and the completion of related paperwork and/or documentation.

c. The information, including the sources of such information and the methodology upon which the cost analysis is based:

The costs analysis set forth above is based upon observations of the industry.

#### 5. Local Government Mandates:

The proposed amendments would require Weights and Measures Municipal Directors to determine whether they would accept calibrations performed by the Federal Milk Market Administration under subdivision (c) in lieu of performing the required testing and analysis of devices that is currently required.

#### 6. Paperwork:

The proposed regulation does not impose any new reporting requirements, forms or other paperwork. There may be some reporting generated through the Weights and Measures Municipal Director's approval of Federal Milk Market Administration calibrations, however, this reporting mirrors the current process used in testing and inspection. Further, the elimination of inspection and testing requirements in subdivisions (b) and (e) reduces previously required reporting.

#### 7. Duplication:

None.

#### 8. Alternatives:

The Department considered allowing Federal Milk Market Administration calibrations without the Weights and Measures Municipal Director's approval. However, some Weights and Measures Municipal Directors objected to their removal from process and, therefore, the Department rejected this alternative and drafted the proposed rule to require approval before these calibrations would be accepted. The Department also considered making no amendments to the proposed rule, however, this alternative was rejected because Weights and Measures Municipal Directors are increasingly strained with resources. The Department reviewed those requirements which could be considered duplicative or unnecessary in order to reduce the resource strain on Weights and Measures Municipal Directors.

#### 9. Federal Standards:

The rule does not exceed any minimum standards of the federal government for the same or similar subject areas.

#### 10. Compliance Schedule:

It is anticipated that regulated parties would be able to immediately comply with this rule upon adoption.

### **Regulatory Flexibility Analysis**

#### 1. Effect of rule:

This rule would reduce required inspections by Weights and Measures Municipal Directors of certain devices used throughout the State, thereby affecting any business, including small businesses, using those devices. All local governments which have a Weights and Measures Municipal Director would be affected by the rule. There are approximately 63 Weights and Measure Municipal Directors in the State of New York.

#### 2. Compliance requirements:

The proposed rule will amend the New York Codes, Rules and Regulations (NYCRR) Title 1, section 220.5 by: (1) removing the annual testing requirement for petroleum terminal rack meters; (2) allowing the Federal Milk Market Administration to calibrate farm bulk milk tanks, with the approval of the appropriate Weights and Measures Municipal Director; and, (3) removing annual testing requirement for timing devices and replacing that subdivision with clarifying language stating that Weights and Measures Municipal Directors have the authority to test all devices and measures as needed to ensure their accuracy. The proposed regulation does not impose any new reporting requirements, forms or other paperwork. There may be some reporting generated through the Weights and Measures Municipal Director's approval of Federal Milk Administration calibrations, however, this reporting mirrors the current process used in testing and inspection. Further, the elimination of inspection and testing requirements in subdivisions (b) and (e) reduces previously required reporting.

#### 3. Professional services:

It is unlikely a small business or local government will need to procure any new or additional professional services to comply with the proposed regulation as it does not impose any new requirements. The approval process required in the proposed regulation mirrors the current process used in testing and inspection.

#### 4. Compliance costs:

It is not anticipated that costs to small businesses and local governments will increase through compliance with the proposed rule. Regulated parties and Weights and Measures Municipal Directors may financially benefit as this proposed rule reduces the time and financial burden, previously spent on unnecessary or duplicative testing and inspection, and providing flexibility to both regulated parties and Weights and Measures Municipal Director to focus on other duties.

#### 5. Economic and technological feasibility:

The proposed rule is economically and technologically feasible as it does not impose any additional economic or technological requirements that would increase the cost of operation to small businesses or local governments. Rather, the proposed rule reduces the time previously spent on testing no longer being required.

#### 6. Minimizing adverse impact:

In conformance with State Administrative Procedure Act section 202-b(1), the proposed rule was drafted to minimize adverse impact to small businesses and local governments. This rule reduces the burden on small businesses and Weights and Measures Municipal Directors by eliminating the need to expend time and resources on testing and inspection functions, while still maintaining accuracy and reliability of devices operating throughout the State. Given all of the facts and circumstances, the proposed regulations minimize adverse economic impact to small businesses and local governments as much as possible.

#### 7. Small business and local government participation:

Department staff held regional meetings with Northern, Western, and Central New York Regional Municipal Weights and Measures personnel in October 2022 and April 2023, and held a Downstate Regional meeting in November 2022. These meetings took place in Warren, Monroe, Madison, and Nassau Counties with corresponding Regional Weights and Measures personnel in attendance. Information about proposed regulation changes were shared and discussed with each region during these meetings. Comments were solicited during these meeting as necessary. Some Weights and Measures Municipal Directors objected to their removal from process and, therefore, the Department rejected this alternative and drafted the proposed rule to require approval before these calibrations would be accepted. Department staff also continue to share information about these changes in the course of their regulatory duties with the affected regulated parties.

### **Rural Area Flexibility Analysis**

#### 1. Types and estimated numbers of rural areas:

This rule would reduce required inspections by Weights and Measures Municipal Directors of certain devices used throughout the State, including in rural areas. It is estimated that approximately 44 Weights and Measures Municipal Directors are located 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 rule will amend the New York Codes, Rules and Regulations (NYCRR) Title 1, section 220.5 by: (1) removing the annual testing requirement for petroleum terminal rack meters; (2) allowing the Federal Milk Market Administration to calibrate farm bulk milk tanks, with the approval of the appropriate Weights and Measures Municipal Director; and, (3) removing annual testing requirement for timing devices and replacing that subdivision with clarifying language stating that Weights and Measures Municipal Directors have the authority to test all devices and measures as needed to ensure their accuracy. The proposed regulation



does not impose any new reporting requirements, forms or other paperwork. There may be some reporting generated through the Weights and Measures Municipal Director’s approval of Federal Milk Administration calibrations, however, this reporting mirrors the current process used in testing and inspection. Further, the elimination of inspection and testing requirements in subdivisions (b) and (e) reduces previously required reporting.

3. Costs:

It is not anticipated that costs to regulated parties will increase through compliance with the proposed rule. Regulated parties may financially benefit as this proposed rule reduces the time and financial burden previously spent on unnecessary or duplicative testing and inspection, and provides flexibility to Weights and Measures Municipal Directors in performing their duties by removing duplicative or unnecessary testing requirements. The amendments will reduce the financial burden on municipalities so that officials may focus on other duties as they deem appropriate without negatively impacting commerce. Such financial burden may include staff time and funds spent on travel to conduct inspections at the previously required testing intervals, and the completion of related paperwork and/or documentation.

4. Minimizing adverse impacts:

In conformance with State Administrative Procedure Act section 202-b(2), the proposed rule reduces the inspection and testing requirements across all of New York State, including rural areas, and is not anticipated to have any increased cost or other adverse economic impacts to rural areas.

Weights and Measures Municipal Directors in rural areas tend to have less resources to carry out regulatory functions. This rule reduces the burden on Weights and Measures Municipal Directors in rural areas by eliminating the need to expend time and resources on these functions, while still maintaining accuracy and reliability of devices operating throughout the State. Given all of the facts and circumstances, the proposed regulations minimize adverse economic impact in rural areas as much as possible.

5. Rural area participation:

Department staff held regional meetings with Northern, Western, and Central New York Regional Municipal Weights and Measures personnel in October 2022 and April 2023. The rural areas where these meetings took place were Warren, Monroe, and Madison Counties, with the corresponding Regional Weights and Measures personnel in attendance. Information about proposed regulatory changes were shared and discussed with each region during these meetings. Comments were solicited during these meetings as necessary. Department staff also continue to share information about these changes in the course of their regulatory duties with the affected regulated parties.

**Job Impact Statement**

The Department has determined that the proposed amendments to the New York Codes, Rules and Regulations (NYCRR) Title 1, section 220.5 will not have a substantial adverse impact on jobs and employment opportunities. The proposed rule will amend section 220.5 by: (1) removing the annual testing requirement for petroleum terminal rack meters; (2) allowing the Federal Milk Market Administration to calibrate farm bulk milk tanks, with the approval of the appropriate Weights and Measures Municipal Director; and, (3) removing annual testing requirement for timing devices and replacing that subdivision with clarifying language stating that Weights and Measures Municipal Directors have the authority to test all devices and measures as needed to ensure their accuracy.

The proposed amendments will provide municipal Weights and Measures Municipal Directors more flexibility in performing their duties by removing redundant testing requirements and allowing testing to be performed by the Federal Milk Administration, where appropriate. The amendments will reduce the financial burden on municipalities without reducing current employment levels so that officials may focus on other duties. Regulated parties may also benefit as this proposed rule reduces the time and financial burden previously spent on additional testing and inspection.

Based on the foregoing, the proposed rule will not have a substantial adverse effect on jobs and employment opportunities, as apparent from its nature and purpose.

**Department of Corrections and  
Community Supervision**

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

**Green Haven Correctional Facility**

**I.D. No.** CCS-49-23-00009-P

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

**Proposed Action:** This is a consensus rule making to amend section 100.20 of Title 7 NYCRR.

**Statutory authority:** Correction Law, section 70

**Subject:** Green Haven Correctional Facility.

**Purpose:** To remove an obsolete reference to previously repealed section 100.22.

**Text of proposed rule:** Section 100.20 is amended to read as follows:

100.20 Green Haven Correctional Facility.

(a) There shall be in the department an institution to be known as Green Haven Correctional Facility, which shall be located at Stormville in Dutchess County, New York, and which shall consist of the property under the jurisdiction of the department at that location[, except as provided in section 100.22 of this Part].

(b) Such institution shall be a correctional facility for males of the ages set forth in subdivision (c) of this section.

(c) Green Haven Correctional Facility shall be classified as a maximum security correctional facility, to be used for the following functions:

(1) general confinement facility for males 21 years of age or older; provided, however, that males between the ages of 18 and 21 may be placed therein for general confinement purposes in accordance with Part 110 of this Chapter;

(2) detention center for males 18 years of age or older; and

(3) residential treatment facility.

**Text of proposed rule and any required statements and analyses may be obtained from:** Cathy Y. Sheehan, Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman State Campus, Bldg. 4, Albany, New York 12226, (518) 485-9613, email: rules@doccs.ny.gov

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

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

**Consensus Rule Making Determination**

This proposal will amend provisions to remove an obsolete reference to repealed section 100.22 of this Part. No person is likely to object to this proposal because it merely amends regulatory provisions to provide clarity and to conform with prior amendments to this Part. See SAPA Section 102(11)(a).

**Job Impact Statement**

A job impact statement is not submitted because this proposed rule will have no adverse impact on jobs or employment opportunities. This proposal will amend provisions to remove an obsolete reference to repealed section 100.22 of this Part.

**Department of Environmental  
Conservation**

**PROPOSED RULE MAKING  
HEARING(S) SCHEDULED**

**1,4-Dioxane Limits for Household Cleansing, Personal Care, and  
Cosmetic Products**

**I.D. No.** ENV-49-23-00007-P

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

**Proposed Action:** Addition of Subpart 352-1 to Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, sections 1-0101, 3-0301, 35-0105(7), 37-0117(6) and 71-3703

**Subject:** 1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products.

**Purpose:** Implement the maximum allowable concentrations of 1,4-dioxane as set forth in art. 35 and 37 of the ECL.

**Public hearing(s) will be held at:** 1:00 p.m., Feb. 6, 2024 at Virtual via Webex.

Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Subpart 352-1 by December 6, 2023. The proposed regulations webpage for 6 NYCRR 352-1 may be accessed at: <https://www.dec.ny.gov/regulations/propregulations.html#public> or <https://www.dec.ny.gov/chemical/121658.html>.

Persons who wish to receive the instructions by mail or telephone may call the Department at 518-402-8706. Please provide your first and last name, address, and telephone number and reference the 6 NYCRR Subpart 352-1 public comment hearing.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than January 24, 2024. The written request must be addressed to ALJ Timothy M. MacPherson, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Timothy M. MacPherson at [ohms@dec.ny.gov](mailto:ohms@dec.ny.gov).

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

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

**Substance of proposed rule (Full text is posted at the following State website:** <https://www.dec.ny.gov/regulations/propregulations.html#public>): 6 NYCRR Part 352, Product Chemical Restrictions and Disclosure

Subpart 352-1, 1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products

The New York State Department of Environmental Conservation is proposing to add 1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products to the New York Codes, Rules and Regulations by Statutory authority. The Department is adding a new 6 NYCRR Part 352, Product Chemical Restrictions and Disclosure. The express terms for this rulemaking will be included in Subpart 352-1, 1,4-Dioxane Limits for Household Cleansing, Personal Care and Cosmetic Products and are summarized below.

Section 352-1.1 includes the purpose and applicability of the regulations.

Section 352-1.2 includes definitions for the terms “continuing calibration verification,” “correlation coefficient,” “cosmetic product,” “household cleansing product,” “initial calibration,” “initial calibration verification,” “internal standard,” “laboratory control sample/laboratory control sample duplicate,” “limit of detection (LOD),” “limit of quantitation (LOQ),” “manufacturer,” “matrix spike/matrix spike duplicate,” “method blank,” “multiple reaction monitoring,” “percent recovery,” “percent relative standard deviation,” “person,” “personal care product,” “relative percent difference,” “selected ion monitoring,” “signal to noise ratio,” and “State”.

Section 352-1.3 includes the prohibitions on the allowable concentration of 1,4-dioxane in household cleansing, personal care, and cosmetic products that may be distributed, sold, offered or exposed for sale in the state. The allowable concentration will be two parts per million of 1,4-dioxane on or after December 31, 2022. The allowable concentration will be and one part per million of 1,4-dioxane on or after December 31, 2023.

Section 352-1.3 also includes the prohibitions on the allowable concentration of 1,4-dioxane in cosmetic products that may be distributed, sold, offered, or exposed for sale in the state. The allowable concentration will be ten parts per million of 1,4-dioxane on or after December 31, 2022.

Section 352-1.4 includes the provisions for waiver applications. Under the general provisions of section 352-1.4(a)(1), a manufacturer of household cleansing, personal care, or cosmetic product(s) may apply to the Department for a one-year waiver from the applicable requirement in section 352-1.3 for a specific product upon such proof that the manufacturer has taken steps to reduce the presence of 1,4-dioxane in that product and is unable to comply with the applicable requirement in section 352-1.3. Thereafter, a manufacturer may apply for one additional one-year waiver for such product, upon such the satisfaction of such similar proof.

Waivers will be granted, in the Department’s sole discretion, based upon the Department’s evaluation of the application and the efforts undertaken by the manufacturer to comply with the 1,4-Dioxane limits set forth in this section. Additionally, this section includes the provisions on the proof requirements for a waiver, the filing process and timeline, waiver renewal, and applicability of a waiver.

Section 352-1.5 includes the requirements for a compliance evaluation, which are the actions a manufacturer must conduct to demonstrate compliance with the limitations set forth in section 352-1.3 for any household cleansing product that is distributed, sold, offered, or exposed for sale, or for any personal care or cosmetic product sold or offered for sale in the State. A compliance evaluation must include one or more of the following: a reasonable inquiry of raw material suppliers regarding the composition of raw materials; a reasonable assessment of the sum of the 1,4-dioxane concentrations contributed by each raw material; or analytical testing of finished product formulations.

Section 352-1.6 includes the guidelines for laboratory tests criteria to ensure analytical testing of a product or raw material is reliable. These guidelines include method performance criteria laying out the appropriate sample preparation, method, instrument, calibration, and quality control criteria.

Section 352-1.7 includes a severability clause for the express terms.

**Text of proposed rule and any required statements and analyses may be obtained from:** Carmelle Sanders, Department of Environmental Conservation, 625 Broadway, Albany NY 12233, (518) 402-5326, email: [1-4D.HCPCproducts@dec.ny.gov](mailto:1-4D.HCPCproducts@dec.ny.gov).

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

**Public comment will be received until:** February 12, 2024.

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

**Summary of Regulatory Impact Statement (Full text is posted at the following State website:** <https://www.dec.ny.gov/regulations/propregulations.html#public>):

The New York State Department of Environmental Conservation (Department) is proposing to adopt 6 NYCRR Subpart 352-1 to implement the amendments to Article 35 and Article 37 of the Environmental Conservation Law (ECL), adopted in 2019, which established limits on the amount of 1,4-dioxane that can be present in household cleansing, personal care, and cosmetic products sold or offered for sale in New York State (L.2019, c. 613, § 1, eff. Jan. 1, 2022; L.2020, c. 44, § 1, eff. Jan. 1, 2022) (hereinafter referred to as “the Law”). The Law establishes a maximum allowable concentration of 2 parts per million (ppm) of 1,4-dioxane effective December 31, 2022, and 1 ppm effective December 31, 2023, for household cleansing and personal care products, and 10 ppm of 1,4-dioxane effective December 31, 2022, for cosmetic products.

The Department’s statutory authority for these regulations is found in ECL sections 1-0101, 3-0301, 35-0105, and 37-0117. The New York State Legislature enacted the Law to protect New York’s public waters and drinking water, by reducing the amount of 1,4-dioxane entering the State’s waters by way of the covered products. The Legislature also included waiver provisions in the Law to allow manufacturers who cannot meet the statutory limits additional time to develop methods for removing 1,4-dioxane from their products. This proposed regulation is in line with the Legislature’s intent, as it implements the provisions of the Law.

This proposed regulation implements the statutory limits on the amount of 1,4-dioxane allowed in covered products, provides detail on how manufacturers can apply for a waiver of these limits for a limited amount of time, and sets method performance criteria, which would allow regulated entities to use any analytical method of their choosing provided the method meets the criteria set forth in the regulation, ensuring manufacturers use a consistent approach to determine compliance with these limits.

According to United States Environmental Protection Agency’s (EPA’s) Integrated Risk Information System (IRIS) database, 1,4-dioxane is identified as “likely to be carcinogenic to humans.” Despite the known health risks, 1,4-dioxane is still found in many consumer products, such as cosmetics, detergents, deodorants, and shampoos, where it is typically formed as a contaminant during the manufacturing process of such products. These products are used by consumers and then enter from sinks and drains into residential septic systems where they enter local wastewater treatment systems. Elevated levels of 1,4-dioxane have been found in municipalities across the State.

In response to the elevated levels, in 2020, New York State adopted a Maximum Contaminant Level (MCL) for drinking water for 1,4-dioxane of 1 part per billion (ppb).

The Law establishes maximum allowable, trace concentrations and

authorizes the Department to periodically review such trace concentrations and determine whether such concentrations should be lowered. This proposed regulation will implement the statutory limitations of 1,4-dioxane in covered products, thereby reducing the amount of 1,4-dioxane in the State's waters.

The proposed regulation does not impose any additional costs to the regulated community (manufacturers) beyond that which is imposed by the Law. The cost of compliance with the Law greatly depends on how much 1,4-dioxane is currently in each product and the method by which compliance is achieved. If a manufacturer does not sell any covered products that have more 1,4-dioxane than the maximum concentration, their initial cost of compliance is essentially zero. However, each product a manufacturer sells with 1,4-dioxane in excess of the maximum concentration will add to their cost of initial compliance. To bring each product into compliance, manufacturers may choose to reformulate with substitute surfactants, modify manufacturing facilities to remove 1,4-dioxane from raw materials, or work with raw material suppliers to do either of the above or find other options that satisfy compliance obligations. More details on the options and costs are discussed in the complete Regulatory Impact Statement.

The State will not incur additional costs due to the issuance of the proposed regulations beyond the costs associated with implementing the Law. However, to implement the Law and regulations, the Department will incur costs associated with purchasing and testing products for compliance. To evaluate compliance, staff overseeing the program will need to conduct sampling and analysis of products to determine the concentration of 1,4-dioxane and may utilize existing contracts with laboratories for support in evaluating compliance. There are no known costs to local government that are directly related to the implementation and continuing compliance of the proposed regulations.

Neither the proposed Subpart 352-1 nor the Law impose any requirements on local governments.

The proposed regulation does not impose any reporting requirements beyond that which is imposed by the Law. However, the proposed regulation does provide more detail than the Law on certain paperwork requirements. In most cases, paperwork may be submitted and maintained in electronic format.

Manufacturers who seek a waiver from the statutory limits must submit an application to the Department. If a manufacturer chooses to seek a waiver, it must maintain records for the duration of the waiver documenting the levels 1,4-dioxane in the product(s) for which a waiver is granted.

A manufacturer must also, upon request by the Department, submit records that demonstrate the compliance evaluation that was conducted for the covered product(s).

This proposed regulation does not duplicate any existing regulations pertaining to the presence of 1,4-dioxane in these product categories at the federal or state level.

The Department considered other alternatives to the proposed regulation but determined that a regulation was necessary to implement the statutory requirements.

Since the Law and the proposed Subpart 352-1 set quantitative standards on the 1,4-dioxane content in household cleansing, personal care and cosmetic products, the Department sought to include an approved analytical method in the regulation to clarify how 1,4-dioxane content should be measured in covered products; however because certain methods have not yet been peer-reviewed or are not being used by authoritative entities for regulatory purposes, the Department felt it appropriate to instead develop method performance criteria, which would allow regulated entities to use any analytical method of their choosing so long as it meets the outlined criteria, which ensures the method will produce reliable results.

The Department also clarified certain definitions and statutory requirements based on inquiries received from the public during public meetings, and further, considered additional regulatory provisions based on comments received, but decided not to implement all suggestions for reasons detailed in the full Regulatory Impact Statement.

The federal government does not have a standard for how much 1,4-dioxane is acceptable in household cleansing, personal care, or cosmetic products.

**Summary of Regulatory Flexibility Analysis (Full text is posted at the following State website: <https://www.dec.ny.gov/regulations/propregulations.html#public>):**

The New York State Department of Environmental Conservation (Department) is proposing to adopt 6 NYCRR Part 352, Product Chemical Restrictions and Disclosure, which will include Subpart 352-1, 1,4-Dioxane Limits in Household Cleansing, Personal Care, and Cosmetic Products. This rulemaking will implement the amendments to Article 35 and Article 37 of the Environmental Conservation Law (ECL), adopted in 2019, which established limits on the amount of 1,4-dioxane that can be present in household cleansing, personal care, and cosmetic products sold or offered for sale in New York State (L.2019, c. 613, § 1, eff. Jan. 1,

2022; L.2020, c. 44, § 1, eff. Jan. 1, 2022) ("the Law"). The Law establishes a maximum allowable concentration of 2 ppm of 1,4-dioxane effective December 31, 2022, and 1 ppm effective December 31, 2023, for household cleansing and personal care products; and 10 ppm of 1,4-dioxane effective December 31, 2022, for cosmetic products. The proposed regulations seek to implement these statutory provisions.

The Law also includes a waiver provision to allow manufacturers to apply for additional time to meet these limits. Proposed Subpart 352-1 will implement these statutory limits by providing details on how manufacturers can apply for a waiver and establishes method performance criteria for test methods a manufacturer uses to determine compliance with 1,4-dioxane limits.

The Department conservatively estimates that there are approximately 120 potential small businesses in the manufacturing sector that could be affected by the proposed regulation, and 36,000 retail small businesses in the retail trade, statewide that may be impacted by the proposed regulation.

The implementation of these regulations will not adversely affect local governments since it does not impose any mandates, including compliance obligations or reporting and record keeping requirements, on local governments.

To minimize the impact of the proposed regulation on manufacturers, the proposed regulation does not prescribe specific steps manufacturers must take to reduce 1,4-dioxane concentrations in their products. There are several methods available to manufacturers for complying with the 1,4-dioxane limits in the Law, which have varying levels of economic and technological feasibility. A manufacturer may apply for a waiver pursuant to proposed section 352-1.4, if it is unable to comply with the applicable 1,4-dioxane limits but has taken steps to do so.

Under proposed section 352-1.5, a manufacturer must conduct a compliance evaluation to determine whether their covered product(s) complies with the limitations set forth in proposed section 352-1.3. The proposed regulation allows manufacturers to choose from various options to evaluate compliance. This approach offers flexibility to businesses, including small businesses, that is not otherwise available under the Law and thereby minimizes adverse economic impacts.

Manufacturers conducting compliance evaluations pursuant to section 352-1.5 may need to engage with an analytical laboratory to determine the concentrations of 1,4-dioxane in their products. However, as the Law requires manufacturers to comply with 1,4-dioxane limits beginning December 31, 2022, they likely have engaged with a laboratory to determine concentrations of 1,4-dioxane in their products. Additionally, manufacturers have the option to base their determination on reasonable inquiry of their ingredient suppliers, which would not require professional services. The Department has provided guidance on compliance evaluation to allow manufacturers maximum flexibility in meeting this requirement.

The Department cannot determine with certainty the cost of compliance with the Law and proposed regulation. The cost of compliance greatly depends on how much 1,4-dioxane is currently in each product and the method by which compliance is ensured. If a manufacturer does not sell any covered products that have more 1,4-dioxane than the maximum concentration, their initial cost of compliance is essentially zero. However, each product a manufacturer sells with 1,4-dioxane in excess of the maximum concentration will add to their cost of initial compliance. Further, the cost of initial compliance depends greatly on how the manufacturer is able to bring each product into compliance. Since product reformulation will be driven by the 1,4-dioxane limits contained in the Law, and the proposed regulation implements statutory standards, manufacturers would incur the costs associated with product reformulation notwithstanding the proposed regulation. A more detailed estimate of compliance costs is included in the complete Regulatory Flexibility Analysis for Small Businesses and Local Governments document.

All manufacturers, regardless of size, may be required to maintain records and submit information to the Department. The proposed regulation requires manufacturers to retain records demonstrating that a compliance evaluation was conducted for as long as a product is distributed, sold, offered, or exposed for sale in the State. Upon request by the Department, a manufacturer must submit records that demonstrate the compliance evaluation that was conducted for the product(s) identified by the Department within fifteen days or respond that no such records exist. A manufacturer who has been granted a waiver must be able to produce documentation of the concentration of 1,4-dioxane in its products upon request by the Department for the duration of the waiver. Professional services are not expected to be needed to submit and maintain records.

A cure period or other opportunity for ameliorative action was not included in the proposed regulation as the Law already included a waiver provision which effectively delays the need for manufacturers to comply with the 1,4-dioxane restrictions by up to two years while they conduct actions to reduce the presence of 1,4-dioxane in their products. As this provision offers an opportunity to achieve compliance over an extended schedule, additional ameliorative actions were not deemed necessary.

**Rural Area Flexibility Analysis****INTRODUCTION**

Proposed Subpart 352-1 codifies in regulation the statutory limits on 1,4-dioxane and will not place any additional burdens on rural areas or increase regulatory requirements applicable to such areas. The requirements that exceed those set forth in the Law apply to manufacturers of household cleansing, personal care, and cosmetic products. The Law will impact retailers across the State, including in rural areas, who must now ensure that the products they sell comply with the 1,4-dioxane limits established in the Law.

The Department has provided significant outreach to manufacturers; and has provided additional outreach via direct email to rural retailers regarding the Law and the sale of covered products. The Department will continue to provide a statewide outreach program to all entities affected by the regulations and other interested parties, including public and private interests in rural areas.

**1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS**

For purposes of this analysis, "rural area" means those portions of the state so defined by Executive Law section 481(7) and SAPA section 102(10). Under Executive Law section 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, programs and such other entities or resources as are found therein. In counties of two hundred thousand or greater population, 'rural areas' means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein." There are 44 counties in the State that have populations of less than 200,000 people and 71 towns in non-rural counties where the population densities are less than 150 people per square mile. The proposed Subpart 352-1 will apply statewide, including rural areas of the State.

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

The proposed regulation does not include routine reporting requirements related to the 1,4-dioxane limits. However, there are regulatory provisions which may require manufacturers to submit information to the Department. Specifically, under the waiver application provisions of section 352-1.4, a manufacturer may apply for a waiver if they are unable to comply with the applicable 1,4-dioxane limits. While the waiver is in effect, the manufacturer must be able to produce documentation of the stated concentration of 1,4-dioxane upon request by the Department. The application process to obtain a waiver is applicable to manufacturers and will not affect rural areas. In any event, waivers will expire after December 30, 2025, and the waiver provisions will have no effect after that.

Additionally, under section 352-1.5, a manufacturer must conduct a compliance evaluation to determine whether their household cleansing, personal care, or cosmetic product(s) complies with the limitations set forth in section 352-1.3. Upon request by the Department, a manufacturer must submit records that demonstrate the compliance evaluation that was conducted for the product(s) identified by the Department within fifteen days or respond that no such records exist. Manufacturers conducting a compliance evaluation may need to engage an analytical laboratory to determine the concentrations of 1,4-dioxane in their products. However, the proposed regulation also provides for other options for determining compliance. Manufacturers may base their determination on reasonable inquiry of their ingredient suppliers or on a reasonable assessment of the sum of the concentrations of 1,4-dioxane contributed by each raw material in the finished product formulation.

There is also a recordkeeping requirement associated with the compliance evaluation provisions of section 352-1.5 requiring that manufacturers retain records demonstrating that a compliance evaluation was conducted for as long as a product is distributed, sold, offered, or exposed for sale in the State. Professional services are not expected to be needed to maintain records associated with the compliance evaluation.

**3. COSTS**

The proposed regulation does not impose any additional costs on the regulated community, including manufacturers of covered products and retailers who must ensure that the products they sell are compliant, other than any increased costs that may result from the Law. The Department cannot determine with certainty the cost of compliance with the Law and regulation. Manufacturers will bear the brunt of the costs of the Law, which are associated with various methods of product reformulation. The Department does not expect that there will be variation in costs based on a manufacturer being located in a rural area. Below is a discussion of those costs.

The cost of compliance greatly depends on how much 1,4-dioxane is currently in each product and the method by which compliance is ensured. If a manufacturer does not sell any covered products that have more 1,4-dioxane than the maximum concentration, their initial cost of compliance is essentially zero. However, each product a manufacturer sells with 1,4-

dioxane in excess of the maximum concentration will add to their cost of initial compliance. Further, the cost of initial compliance depends greatly on how the manufacturer is able to bring each product into compliance.

For the purposes of this analysis, we will assume the only way that 1,4-dioxane enters final products is through the surfactant. In reality, 1,4-dioxane may be a byproduct formed in another ingredient or it may be in the final product from multiple sources. However, the concepts discussed are applicable to these scenarios as well.

If a manufacturer can purchase a version of the same surfactant from their supplier with lower 1,4-dioxane, which can be achieved through chemical stripping, the cost of compliance would be the difference in cost between the surfactant with a higher level of 1,4-dioxane and the cost of the surfactant with lower 1,4-dioxane. While initially manufacturers would bear this cost, discussions with manufacturer industry associations lead the Department to believe that this difference would ultimately be passed to consumers through price increases.

If a manufacturer's surfactant supplier does not have the necessary technology to strip 1,4-dioxane out of its products, the manufacturer could either find a new supplier for their surfactant or request their current supplier to purchase stripping equipment. Based on conversations with equipment manufacturers, the cost of this equipment depends on the flowrate of the plant and could range from several hundred thousand dollars to several million dollars. And while the surfactant supplier is not a regulated entity under this Law, the cost would likely ultimately be borne by the manufacturer and then the end consumer.

The last initial compliance option for manufacturers is to reformulate their products so a surfactant that produces 1,4-dioxane as a byproduct is no longer used. This option is likely to be the most expensive as it requires research and development to find a new viable formulation, test it for performance and stability, secure suppliers for new ingredients, produce the new formulation and distribute it to retailers. If, in aggregate, this process required one full-time employee (FTE) per product, the cost of reformulating each product could be as high as \$300,000 (assuming an FTE costs the manufacturer \$100,000 per year).

In the long term, if a manufacturer assesses compliance using a lab for hire, the cost for each test may vary among labs. Research done for the Department shows a wide range in the price of testing products for 1,4-dioxane. The lowest rate found was \$250 per sample and the highest was \$1030 per sample. However, it is common for commercial labs to decrease the per sample price based on the total number of samples being tested. Likewise, if a manufacturer assesses compliance by testing each finished product, the cost is likely to be much higher than if they test each surfactant used among their products and calculate how much 1,4-dioxane is present in each final product based on dilution. The cost to the manufacturer is even lower, if not zero, if they rely on reports from their supplier of the amount of 1,4-dioxane in the surfactants to calculate the amount of 1,4-dioxane in the final product.

As a result of the statutory limits that took effect on December 31, 2022, retailers, including those located in rural areas, may need to obtain assurances from manufacturers that the products on their shelves as well as any new products they purchase, comply with the Law. Proposed 352-1 does not create any additional burdens for retailers.

**4. MINIMIZING ADVERSE IMPACT**

The Law establishes the 1,4-dioxane limits for covered products. The proposed regulation will not impose additional regulatory burdens on rural areas beyond what the statute requires. The Department estimates that there are fewer than ten manufacturers located in rural areas of the State that make products covered by the Law. Nonetheless, the proposed regulation minimizes adverse impacts on all affected manufacturers in several ways. First, the regulations allow manufacturers flexibility in the way they achieve compliance with the 1,4-dioxane thresholds in that it does not prescribe specific actions that manufacturers need to take to reduce 1,4-dioxane concentrations in their products. The proposed regulation also offers regulatory flexibility by allowing manufacturers to use several options to evaluate compliance with the Law. However, other than the measures discussed here and the statutory provision for a waiver, the Department cannot provide additional flexibility regarding the sale and distribution of noncompliant products after December 31, 2022.

**5. RURAL AREA PARTICIPATION**

Based on the definition of "Rural area" by Executive Law section 481(7) and SAPA section 102(10), the U.S. Census 2020 data was used to determine the rural counties and towns of the State. The Department of Labor's website was utilized to filter for companies employing up to 99 employees in manufacturing in rural counties. According to this information, there are less than ten companies located in rural areas that manufacture covered products and that will be affected by this Law. Proposed Subpart 352-1 will apply statewide, including all rural areas of the State. The Department has provided outreach to the identified manufacturers and retailers in rural areas and will continue to provide a statewide outreach program to all affected entities and other interested parties, including pub-

lic and private interests in rural areas. The Department does not believe that public sector entities will have any obligations under these regulations.

For potentially affected manufacturers in rural areas, the Department has held two public meetings providing an overview of the regulations, sought public comment, and posted response to those comments, along with a recording of one of the meetings, on the webpage.

In addition, the Department has held stakeholder meetings with various stakeholder groups, including several major manufacturers and numerous industry associations that can share information on the Law and rulemaking with members, including manufacturers and retailers in rural areas that were identified using DOL's website via targeted email correspondence. Further, association categories applicable to these stakeholders were researched, compiled and included in outreach efforts to disseminate information on the Law.

**6. INITIAL REVIEW OF PROPOSED REGULATION**

The Department will conduct an initial review of the proposed regulation within 3 years, as required by SAPA § 207.

**Job Impact Statement**

**1. NATURE OF IMPACT**

There should be no impact on jobs associated with this proposed regulation. In most cases there are surfactants with lower 1,4-dioxane concentration, or alternative ingredients that do not contain the chemical as a contaminant that can be used to manufacture the covered products of the Law. In the few cases where there may be few alternatives available, research and new product development and practices will find replacements for these products. Consequently, the proposed amendment should not inhibit the growth of or employment in the personal care, household cleansing, and cosmetic industry.

**2. CATEGORIES AND NUMBERS OF JOBS OR EMPLOYMENT OPPORTUNITIES AFFECTED**

The proposed regulation will not have an impact to jobs and employment opportunities in the State beyond that which would result from the implementation of the Law itself. The 1,4-dioxane limits on household cleansing, personal care, and cosmetic products will take effect by operation of Law regardless of whether this proposed rule is adopted. Further, manufacturers of household cleansing, personal care, and cosmetic products have several options for complying with the Law, which may include reformulating their products, including a stripping process to remove 1,4-dioxane, or finding alternative raw material suppliers to comply with the limits. While adoption of these options may result in increased costs to manufacturers, these costs will likely be passed along to consumers, and are not expected to create substantial adverse impacts on jobs or employment opportunities in New York State.

**3. REGIONS OF ADVERSE IMPACT**

The regulation applies statewide, and as such, there will be no disproportionate adverse impact on existing jobs, nor will it disproportionately promote the development of new employment opportunities. Therefore, the Department does not anticipate any region-specific adverse impacts.

**4. MINIMIZING ADVERSE IMPACT**

The Department concludes that this regulatory proposal would not have a substantial adverse impact on jobs within the State.

---



---

## Department of Financial Services

---



---

**NOTICE OF ADOPTION**

**Principle-Based Reserving**

**I.D. No.** DFS-36-23-00021-A

**Filing No.** 1000

**Filing Date:** 2023-11-21

**Effective Date:** 2023-12-06

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

**Action taken:** Amendment of Part 103 of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 4217 and 4517

**Subject:** Principle-Based Reserving.

**Purpose:** To adopt the 2023 Valuation Manual.

**Text or summary was published** in the September 6, 2023 issue of the Register, I.D. No. DFS-36-23-00021-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Amanda Fenwick, New York State Department of Financial Services, One Commerce Plaza, Albany, New York 12257, (518) 474-7929, email: Amanda.Fenwick@dfs.ny.gov

**Assessment of Public Comment**

The agency received no public comment.

---



---

## Office of General Services

---



---

**NOTICE OF ADOPTION**

**Prohibited and Controlled Activities**

**I.D. No.** GNS-28-23-00023-A

**Filing No.** 994

**Filing Date:** 2023-11-16

**Effective Date:** 2023-12-06

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

**Action taken:** Amendment of section 300-3.2(c) of Title 9 NYCRR.

**Statutory authority:** Executive Law, section 200

**Subject:** Prohibited and Controlled Activities.

**Purpose:** To correct an unintended erroneous citation.

**Text or summary was published** in the July 12, 2023 issue of the Register, I.D. No. GNS-28-23-00023-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Paula B. Hanlon, Esq., NYS Office of General Services, 36th Floor, Corning Tower, The Governor Nelson A. Rockefeller ESP, Albany, NY 12242, (518) 474-5988, email: paula.hanlon@ogs.ny.gov

**Assessment of Public Comment**

The agency received no public comment.

**NOTICE OF ADOPTION**

**Service-Disabled Veteran-Owned Business Enterprises**

**I.D. No.** GNS-29-23-00003-A

**Filing No.** 993

**Filing Date:** 2023-11-16

**Effective Date:** 2023-12-06

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

**Action taken:** Amendment of sections 252.1, 252.2 and 252.3 of Title 9 NYCRR.

**Statutory authority:** Executive Law, section 200; Veterans' Services Law, section 41(5) and 42(1)

**Subject:** Service-Disabled Veteran-Owned Business Enterprises.

**Purpose:** To make amendments to definitions and statutory references in order to remain consistent with new statutory changes.

**Text or summary was published** in the July 19, 2023 issue of the Register, I.D. No. GNS-29-23-00003-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Paula B. Hanlon, Esq., NYS Office of General Services, 36th Floor Corning Tower, The Governor Nelson A. Rockefeller ESP, Albany, NY 12242, (518) 474-5988, email: paula.hanlon@ogs.ny.gov

**Assessment of Public Comment**

The agency received no public comment.

---



---

## Department of Health

---



---

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

**Hospital Cybersecurity Requirements**

**I.D. No.** HLT-49-23-00001-P

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

**Proposed Action:** Addition of section 405.46 to Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 2803

**Subject:** Hospital Cybersecurity Requirements.

**Purpose:** To create cybersecurity program requirements at all Article 28 regulated facilities.

**Substance of proposed rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>):** The proposed regulation would create a new section 405.46 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York, to create cybersecurity requirements for all hospital facilities.

Section 405.46(a) identifies all general hospitals in New York State as subject to the regulations.

Section 405.46(b) defines certain terms and language for purposes of the section.

Section 405.46(c) establishes the requirements for hospitals to have a cybersecurity program and defines protocols, procedures, and core functions of such program.

Section 405.46(d) defines the cybersecurity policies that general hospitals will need to create and the topics that should be considered after a risk assessment has been performed.

Section 405.46(e) requires general hospitals to designate a Chief Information Security Officer who will be responsible for cybersecurity program creation, implementation, and oversight.

Section 405.46(f) sets forth the requirements for testing and vulnerability of a general hospital's cybersecurity program.

Section 405.46(g) outlines the audit trails and records maintenance and retention requirements of a general hospital's cybersecurity program.

Section 405.46(h) sets forth the requirements for cybersecurity risk assessments and the considerations for policies and procedures relative to those risk assessments.

Section 405.46(i) sets forth the requirements for cybersecurity personnel general hospitals must utilize.

Section 405.46(j) sets forth the policies for third-party service providers of cybersecurity programs.

Section 405.46(k) sets forth the requirements for multi-factor authentication procedures.

Section 405.46(l) sets forth the requirements for training and monitoring of the cybersecurity program.

Section 405.46(m) defines the requirements for an incident response plan in the event of a cybersecurity incident.

Section 405.46(n) defines the reporting requirements for a general hospital during a cybersecurity incident.

Section 405.46(o) refers to confidentiality and the applicability of State and federal statutes.

Section 405.46(p) provides general hospitals one (1) year from the date of adoption to comply with the new regulatory requirements, except that general hospitals must immediately begin reporting to the Department as required by subdivision (n) of this section.

Section 405.46(q) states that if any provisions of the section are found to be invalid, it shall not affect or impair the validity of other provisions of the section.

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

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

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

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

#### Regulatory Impact Statement

##### Statutory Authority:

Public Health Law (PHL) § 2803(2)(a) authorizes the Public Health and Health Planning Council (PHHPC) to adopt and amend rules and regulations, subject to the approval of the Commissioner of Health (Commissioner), to implement PHL Article 28 and establish minimum standards for health care facilities, including general hospitals.

##### Legislative Objectives:

The legislative objectives of PHL Article 28 include the protection of the health of the residents of the State by promoting the efficient provision and proper utilization of high-quality health services at a reasonable cost.

These regulations fulfill this legislative objective by ensuring that general hospitals within New York State implement minimum cybersecurity controls to safeguard protected health information (PHI) and personally identifying information (PII) from being publicly disclosed or used for identity theft.

##### Needs and Benefits:

The healthcare industry is one of the most targeted communities for cybersecurity scams and breaches due to the significant amount of sensitive and financially lucrative information healthcare facilities collect. Currently in New York State there are no cybersecurity requirements for the safeguarding and security of patients' protected health information (PHI) and personally identifying information (PII). As a result, New Yorkers seeking medical care have no guaranteed minimum levels of protection of their information. As a result of this, there have been several high-profile cybersecurity breaches at facilities across the state which have resulted in not only a loss of patient financial and health data, but in some cases has also delayed care.

Additionally, cybersecurity events at hospitals can have significant, far-reaching, and long-term impacts to the provision of patient care and operation of the facility. Governor Hochul has been focusing on cybersecurity and ensuring that New Yorkers data stays safe no matter where they go. The promulgation and implementation of cybersecurity focused regulations supports this initiative. These regulations will ensure all hospitals develop, implement, and maintain minimum cybersecurity standards, including cybersecurity staffing, network monitoring and testing, policy and program development, employee training and remediation, incident response, appropriate reporting protocols and records retention.

There will be multiple benefits to the adoption of these regulations. Given the significant differences in preparedness statewide against cybersecurity attacks, these regulations will ensure hospitals are required to maintain a minimum level of readiness to prepare for, respond to, and quickly recover from cybersecurity incidents.

##### Costs:

##### Costs to Regulated Parties:

The costs associated with the implementation by regulated facilities will vary significantly due to the varying levels of cybersecurity programs and policies hospitals currently have in place. Some facilities may have mature monitoring, training and response programs, whereas others may not. Therefore, the costs could vary from tens of thousands to tens of millions. Hospitals will be allowed to sub-contract for cybersecurity services and this may reduce the overall cost of program implementation. It is estimated that effective cybersecurity programs can cost between \$250,000 and \$10 Million to develop and implement initially and anywhere from \$50,000 - \$2 Million or more to maintain on a yearly basis depending on the facility size. For small hospitals (of which there are 15 and are defined as less than 10 acute care or ICU beds), ongoing annual costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million.

##### Costs to Local and State Governments:

There are currently fifteen facilities which would be subject to these proposed regulations which are operated by local municipalities. As such, they would be subject to the same regulations as those operated by private entities. The estimated costs they would incur would depend on their size, as noted above.

##### Local Government Mandates:

These regulations do impose a program, service, duty or other responsibility upon 4 separate city, county and State governments to the extent they do not already comply with the proposed regulations.

##### Paperwork:

These regulations impose additional paperwork in the form of procedures, policies, guidelines, and reporting documents. These requirements are necessary to ensure the efficacy of a cybersecurity program and also provide accountability and transparency for hospitals.

##### Duplication:

There is no duplication of this initiative in existing State law. The Health Insurance Portability and Accountability Act (HIPAA) Security Rule does provide broad requirements for safeguarding PHI, but the regulations contained herein are intended to supplement HIPAA.

##### Alternatives:

The alternative to the proposed regulation would be not enacting the cybersecurity requirements. This option is not appropriate due to the demonstrated need to protect PHI and PII at hospitals within the State. The Department in 2023 has responded to more than 1 cybersecurity incident per month, several of which have forced hospitals to go on diversion, stopped their billing procedures, and required facilities to operate on downtime procedures which can severely hamper the care delivery process. Over 225,000 patients had data possibly compromised in one breach alone.

In order to respond to comments received by facilities, the proposed regulations were modified to lengthen and simplify the compliance period in order to maximize the ability for facilities to come into compliance. Furthermore, the Department removed the requirement for a Chief Information Security Officer to be employed directly by the facility, and instead

allow them to be a virtual or 3rd party vendor upon approval by the facilities' governing body.

#### Federal Standards:

Federal regulations governing protection of PHI and PII are contained within HIPAA, however they are overly vague and provide limited guidance on cybersecurity and the protection of PHI and PII.

#### Compliance Schedule:

General hospitals will have one year from the effective date of the regulation to comply with the requirements set forth herein. However, subdivision (n) of the regulation, requiring general hospitals to notify the department within two hours of a determination that a cybersecurity incident has occurred, will be effective upon adoption in the State Register. The schedule as proposed was modified as a direct result of outreach to facilities by the Department who provided feedback on the difficulty in developing cybersecurity programs.

#### Regulatory Flexibility Analysis

##### Effect of Rule:

The proposed regulations will affect all general hospitals licensed pursuant to Article 28 of the Public Health Law, regardless of size or location. There are currently 226 hospitals in New York State, including Veteran's Affairs facilities (which would not be affected by these proposed regulations). These regulations will not affect local governments unless they operate a general hospital. In NYS, there are 15 hospitals operated by municipalities; Lewis County Hospital in Lewis County, NY, Wyoming County Hospital in Wyoming County, 12 facilities operated by New York City Health and Hospitals Corporation, and Helen Hayes hospital operated by the State of New York.

Currently in New York State there are no cybersecurity requirements for the safeguarding and security of patients' protected health information (PHI) and personally identifying information (PII). As a result, New Yorkers seeking medical care have no guaranteed minimum levels of protection of their information. As a result of this, there have been several high-profile cybersecurity breaches at facilities across the state which have resulted in not only a loss of patient financial and health data, but in some cases has also delayed care. Additionally, cybersecurity events at hospitals can have significant, far-reaching, and long-term impacts to the provision of patient care and operation of the facility. These regulations will ensure all hospitals develop, implement, and maintain minimum cybersecurity standards, including cybersecurity staffing, network monitoring and testing, policy and program development, employee training and remediation, incident response and appropriate reporting protocols and records retention.

##### Compliance Requirements:

The proposed regulations require that hospitals develop, implement and maintain minimum cybersecurity standards and programs, including information technology (IT) staffing, network monitoring and testing, policy and program development, employee training and remediation, incident response, appropriate reporting protocols and records retention.

##### Professional Services:

Depending on the current state of an existing cybersecurity program, a facility or system may need to contract with a third-party service provider for anything from staffing, network monitoring, incident response, or staff training. Facilities will be required to hire or appoint a Chief Information Security Officer (CISO) to design and implement their cybersecurity program. The draft regulations currently allow for the CISO to be a direct employee of the facility, or an employee of a virtual or third-party contractor upon consent and approval of the governing body. Facilities may also need to hire or contract additional information technology staff to ensure compliance with the new regulations. Additionally, the facilities may need to purchase information security programs or contract with third-party vendors to monitor for malicious network traffic, perform compliance testing with authorized users and ensure protected health information and personally identifying information is kept secure.

##### Compliance Costs:

Given the variability in cybersecurity preparedness and current programs at facilities, the initial startup and ongoing costs could vary significantly. After initial conversations with facilities to gain a basic understanding of costs, it is estimated that effective cybersecurity programs can cost millions to develop and implement initially, and anywhere from \$50,000-\$2 million or more to maintain on a yearly basis depending on the facility size. For small hospitals (of which there are 15 and are defined as less than 10 acute care or ICU beds), ongoing annual costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million.

##### Economic and Technological Feasibility:

It is both economically and technologically feasible for hospitals to become compliant with the proposed regulations. There currently exists a

significant amount of technology and software which can be licensed or purchased to provide network monitoring, notification, staff training and exercises and multifactor or risk-based authentication, among others. Economically, it will be easier for hospitals which are part of large healthcare systems or located in more urban areas to comply with these regulations than it may be for smaller or more rural facilities. This is due to the fact that the larger facilities and systems may already have aspects of the regulations already functioning as part of a mature cybersecurity program, or may have access to more capital and resources than smaller, more rural or standalone facilities. While several facilities voiced concerns related to the cost of implementation, the consequences of what can occur as a result of a cyber-attack far outweigh those costs. Days or weeks of downtime with an inability to bill for services can cost tens of millions of dollars (at a minimum), as well as the unknown cost of lost productivity, cancellation of elective surgeries, purchase of new computers, etc, can well exceed the yearly maintenance program costs.

##### Minimizing Adverse Impact:

The Department of Health conducted several rounds of outreach to affected healthcare facilities and healthcare associations as part of the regulatory drafting process, to understand what makes a successful cybersecurity program, what things should be avoided or be flexible, and how the Department can work with them to enhance preparedness in New York State. As a result of those discussions, the Department took significant steps to ensure that no specific references to technology, programs or software were included into the regulations. In this way, it allows for facilities to become compliant with the regulations however they may be able to, without the regulation becoming too prescriptive, or requiring use of overly expensive or specific software. These regulations establish truly baseline, general requirements that allow maximum flexibility to healthcare facilities to comply based on their operations. While other approaches to cybersecurity programs were considered, as required under SAPA § 202-b(1), there are unfortunately no alternatives to cybersecurity, as the health and welfare of patients both current and former at a facility can be adversely affected by a network breach. Facilities will have one year from implementation to come into compliance with the regulations except for event reporting. The compliance period as proposed will not only maximize the ability for facilities to come into compliance, but was modified as a result of feedback received from those facilities. While these regulations will result in some cost to facilities, the Department will be taking action to mitigate these impacts. The Department will soon be issuing a request for application for a new \$500M Health Care Technology Capital program. Funding for this program was appropriated in the FY24 budget, with the intention of supporting facilities' technological needs, including for cybersecurity purposes. This funding will help facilities to come into compliance with these regulations.

##### Small Business and Local Government Participation:

During the drafting process, the Department conducted several rounds of outreach to over 25 different hospitals and hospital/healthcare associations to understand the current state of the industry, cybersecurity program best practices and areas to avoid.

##### Parties the Department reached out to:

University of Rochester MC  
Kaleida Health  
Northwell Health  
NY Presbyterian  
Elizabethtown Hospital  
Arnot Ogden MC  
Geneva General Hospital  
Soldiers and Sailors Memorial Hospital  
Rochester General Hospital  
Unity Hospital  
Wyoming County Hospital  
Richmond University Medical Center  
Healthcare Association of NYS  
Iroquois Healthcare Association  
Healthcare Association of Central and Western NY  
Suburban Hospital Alliance of NYS  
Greater NY Healthcare Association

As there are facilities run by city, county and state municipalities, a cross section of them was invited to participate in the roundtable discussion related to cybersecurity programs and proposed regulations. The Department has some direct communication methods through the Health Commerce system which will be utilized to reach out to C Suite executives at each facility after the regulations are publicly posted and available for comment.

#### Rural Area Flexibility Analysis

##### Types and Estimated Numbers of Rural Areas:

Rural areas as defined by Executive Law § 418(7) are counties with a population less than 200,000 and towns with a population density less than 150 people per square mile. For the purposes of this regulation, there

are 44 counties with a population of less than 200,000, which have a total of 76 regulated facilities. The proposed rule will apply statewide to all general hospitals regulated under Article 28 of the Public Health Law.

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

1. Recordkeeping: Article 28 facilities will be required to develop cybersecurity policies, protocols and procedures within one year of the adoption of the proposed regulations. Facilities will be required to maintain records of program compliance by employees, security breaches by outside entities (both successful and unsuccessful), and other program documentation for at least 6 years.

2. Reporting: Article 28 facilities will be required to report any cybersecurity incidents as defined in the proposed regulation within 2 hours of discovery. Facilities will also be required to provide a report to the Department upon request of all cybersecurity incidents within the previous reporting period.

3. Professional services: Facilities will be required to hire or appoint a Chief Information Security Officer (CISO) to design and implement their cybersecurity program. The draft regulations currently allow for the CISO to be a direct employee of the facility, or an employee of a virtual or third-party contractor upon consent and approval of the governing body. Facilities may also need to hire or contract additional information technology staff to ensure compliance with the new regulations. Additionally, the facilities may need to purchase information security programs or contract with third-party vendors to monitor for malicious network traffic, perform compliance testing with authorized users and ensure protected health information and personally identifying information is kept secure.

Costs:

The costs for this program will vary depending on the level of preparedness of each facility. For less mature programs which require significant development, the initial funding required could range from \$250,000 to \$10 million. For small hospitals (of which there are 15 and are defined as less than 10 acute care or ICU beds), ongoing annual costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million. Facilities may be able to purchase equipment or services from State Contract lists where appropriate and applicable. Facilities will also be able to contract with appropriate third-party vendors or contractors to help ensure compliance with the proposed regulations.

Minimizing Adverse Impact:

The Department has included flexibility within the regulations for facilities to ensure they are compliant with the requirements, including allowing for third-party or vendor contractors to complete compliance reporting and measures on behalf of them. Additionally, facilities will have one year from the adoption of the proposed regulations to implement the requirements and ensure compliance. While these regulations will result in some cost to facilities, the Department will be taking action to mitigate these impacts. The Department will soon be issuing a request for application for a new \$500M Health Care Technology Capital program. Funding for this program was appropriated in the FY24 budget, with the intention of supporting facilities' technological needs, including for cybersecurity purposes. This funding will help facilities to come into compliance with these regulations.

Rural Area Participation:

In consideration of SAPA § 202-bb(7), the Department conducted multiple rounds of outreach with facilities of a diversity of sizes, including those located in rural areas such as Ellenville Regional Hospital and Arnot Ogden Medical Center. This outreach consisted of one-on-one conference calls with specific facilities, which occurred June 12-22, 2023, as well as a roundtable in August 2023 where over 25 facilities, healthcare associations and Department of Health staff were invited to discuss the current state of cybersecurity programs, best practices and required elements of a good cybersecurity program. While many facilities agreed about the need for mature cybersecurity program amid increasing cybersecurity threats, many voiced concerns about the costs of these programs. The Department listened to all of the feedback provided and modified some of the language in the proposed regulations. For example, the Department simplified and lengthened the compliance period to allow facilities the maximum amount of time to be in compliance.

#### Job Impact Statement

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purpose of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Educational Requirements for Certified Emergency Medical Services Providers

I.D. No. HLT-49-23-00010-P

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

**Proposed Action:** Amendment of Part 800 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 3002

**Subject:** Educational Requirements for Certified Emergency Medical Services Providers.

**Purpose:** To improve the overall educational and certification experience that will ease barriers to recruitment of individuals.

**Substance of proposed rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>):** The proposed rulemaking would amend several sections of Part 800 of Title 10 of the New York Codes, Rules and Regulations (NYCRR) pertaining to Emergency Medical Services.

Section 800.3(w) changes the definition of continuous practice to be more inclusive of other patient care experiences.

Subdivisions (b), (c), (d) and (e) of Section 800.6 are amended to allow individuals who are 17 years of age prior to the last day of the month to qualify for initial certification; to remove reference to Emergency Critical Care technician; and to combine (d) and (e) to allow for completion of all requirements, including a passing grade on both the practical skills evaluation and a written examination, within two years of the end of course date. Amendments to this section also include changing the term "examination" to "evaluation" for determining skills competencies and clarifying that remediation is required when the candidate is unsuccessful with the skills evaluation and/or written examination.

Section 800.7 is repealed.

Section 800.8(d) is amended to combine the tests of subdivisions (d) and (e) and to clarify that students have one year from the end date of the course to pass the practical skills evaluation and written examination.

Section 800.9 is amended to change the name of the section and to delete paragraph (2) of subdivision (b).

Section 800.10 is amended to change the name of the section and subdivision (a) is amended to state that instead of enrolling in a new course, students who fail may participate in approved remediation with the initial course sponsor. Subdivision (b) is also amended to state that students are permitted three attempts at the written examination and if they are unsuccessful, must complete an approved remediation with their course sponsor. Once completed, they can attempt the written exam three additional times. If unsuccessful again, then they must take a refresher or an original course.

Section 800.11 is amended to remove the word "defibrillation" from subdivision (a) and to state that basic certification is required for the duration of the advanced course, changing it from "at time of written certification."

Subdivisions (a) and (b) of Section 800.12, concerning reciprocal certification requirements, are amended: to remove reference to critical care technicians, which are being phased out as a certification option and will no longer be available for reciprocity; to require completion of National EMS Educational Standards; to expand upon acceptable proofs of need for reciprocity; to clarify the process in which reciprocity may be given to an applicant and what is required; to require submission of a non-refundable fee of up to a \$99; to refer to the minimum age requirements found in section 800.6; to add a new provision that limits the use of reciprocity for recertification; to add a new provision that clarifies when a certification granted through reciprocity will expire; and to add a new provision stating that an applicant must disclose any disciplinary actions charged by other state EMS agencies in their reciprocity application.

Section 800.13 is repealed.

Section 800.14 is amended to remove the reference to "ambulance" services as to include first response agencies as acceptable in the State's mutual aid agreement with states bordering New York.

Section 800.15 is amended to require students who are pursuing certification at any level, to adhere to the standards of conduct set forth in the section and to revise the text to contemplate adherence to National EMS Education Standards.

Section 800.17 is amended to extend initial and subsequent candidate certifications from 37 months to 48 months.

Section 800.18 is amended to repeal the current requirements for lapsed certifications and instead allow providers to recertify by enrolling in, and completing, the requirements of a refresher course.



Section 800.19 is amended to include the ability to run demonstration projects that also include education delivery models and EMS delivery models. Amendments to this section would also mean that education delivery models and EMS delivery models would no longer be subject to review by the regional emergency medical services councils; however, new skills and moving of skills between certification levels would still be subject to such review.

Subdivision (a) of Section 800.20 is amended to allow course sponsorship renewal applications that do not receive comment from the regional emergency medical services council within 45 days, to proceed directly to the department without comment. Subdivision (b) of section 800.20 is amended to change the projected course schedule from six months to twelve months and to update the frequency of submission from twice per year to once per year. The date of submission is also adjusted from July 1st to August 1st. In addition, substantial edits were made to subdivision (c) of section 800.20, to include the specific attachments that are required in addition to course applications; to require that state sponsors not admit students who do not meet requirements for certification. Amendments to subdivision (c) also specify what happens when course paperwork is not submitted on time; update references to the U.S. Department of Transportation National EMS Educational Standards; identify the specific roles required of a course sponsor and the criteria related to the selection of those roles; clarify what courses are required to have a Certified Instructor Coordinator in attendance; change the number of certified lab faculty required from at least one (1) to at least fifty (50) percent; and remove the requirement that instructors for continuing educational courses complete a training course conducted by the Department for that specific course. In addition, amendments to this subdivision remove all specific curriculum references and simplify the regulation by stating that course sponsors adhere to the Department of Transportation National EMS curriculum; remove the requirement that sponsors conduct an annual review of test instruments and evaluation methods; expand the language that additional policies may be required and enumerate the policies that will be required. Amendments to section 800.20(c) also allow for student files to be maintained electronically; expand the list of required documents in files; allow for electronic maintenance of course files and extend the period of retention to at least five (5) years; and add that course sponsors must retain any document that is relevant to the administration and record for the course. Finally, reference to "advanced life support" is removed from paragraph (12) of subdivision (c) to encompass BLS course sponsor in clinical rotation requirements and a new paragraph (13) is added to combine all quality assurance items that were located throughout various locations of the regulation into one location. It is also amended to develop new goals that ensure course sponsors are not only developing and maintaining quality educational programs that are evaluated by all stakeholders but are also adjusting to educational delivery models and the profession as needed.

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

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

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

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

#### **Regulatory Impact Statement**

**Statutory Authority:**  
Public Health Law (PHL) § 3002(2) authorizes the State Emergency Medical Services Council, subject to approval of the Commissioner of Health, to enact, and from time to time, amend and repeal, rules and regulations establishing minimum standards for ambulance services, ambulance service certification, advanced life support first response services, the provision of prehospital emergency medical care, public education, the development of a statewide emergency medical services system, the provision of ambulance services outside the primary territory specified in the ambulance services' certificate and the training, examination, and certification of certified first responders, emergency medical technicians, and advanced emergency medical technicians.

#### **Legislative Objectives:**

The legislative objective of PHL § 3002 is, in part, to protect the public health, safety and welfare by authorizing the State Emergency Medical Service Council (SEMSCO) to develop minimum training and certification standards for emergency medical service (EMS) providers.

#### **Needs and Benefits:**

The EMS industry is experiencing a shortage of certified EMS providers available to work. Over the past ten years, New York State has experienced a 10% decline in the number of certified EMS providers. The proposed changes to Part 800 of Title 10 of the Official Compilation of

Codes, Rules and Regulations (NYCRR) are necessary to improve the overall educational experience that will ease barriers to recruitment of individuals seeking initial certification and provide improved quality requirements that will provide a better overall experience to support the retention of individuals. Specifically, the new requirements for initial certification increases the number of attempts to pass the written exam to be in line with the requirements of the National Registry of Emergency Medical Technicians. Additionally, the process for obtaining a certification through reciprocity has been streamlined and clarified. The requirements for recertification have been modified to allow a broader definition of continuous practice.

In addition, it brings New York in line with industry educational changes over the last decade as well as puts similar expectations of quality on all the state's educational course sponsors. The proposed regulations would remove outdated standards and practices while providing better clarity for the Bureau of EMS and educational course sponsors and improving transparency for providers throughout the state. In particular, the course materials have been updated to remove outdated information and will be in line with the National Education Standard. The proposed changes also clarify the roles and responsibilities for course sponsors. The proposed changes encompass outlining new policies for course sponsors and guidance on retention of records. Lastly, the changes provide a path for quality assurance measures to ensure the highest level of delivery in EMS education.

These changes are a result of review and comment by the SEMSCO's Training and Education Committee.

#### **Costs:**

**Costs for the Implementation of, and Continuing Compliance with the Regulation to the Regulated Entity:**

This regulation imposes no new costs to regulated entities. Out-of-state EMS providers seeking to qualify for New York State certification would need to submit a non-refundable filing fee of up to \$99, as determined by the Department on the application. Currently, such fees are \$25 for emergency medical responders or emergency medical technicians and \$50 for all other levels of certification.

#### **Costs to State and Local Governments:**

This regulation imposes no new costs or fees to state and local governments.

#### **Costs to the Department of Health:**

This regulation imposes no new costs to the Department of Health.

#### **Local Government Mandates:**

This regulation imposes no new mandates on local governments.

#### **Paperwork:**

This regulation results in a change to the paperwork and process for applicants seeking initial certification and recertification. However, these changes will streamline the process and make it easier for applicants applying for certification and recertification.

#### **Duplication:**

This regulation does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

#### **Alternatives:**

The alternative to the proposed changes would be to allow the regulations to remain the same. This is not a viable option because the proposed changes will allow for increased retention; reciprocity from other states; and update the education of new and existing providers to current standards.

#### **Federal Standards:**

The regulations are consistent with applicable federal requirements and national standards.

#### **Compliance Schedule:**

This regulation will become effective upon publication of a Notice of Adoption in the New York State Register.

#### **Regulatory Flexibility Analysis**

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

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

A Rural Area Flexibility Analysis for these amendments is not being submitted because the amendments will not impose any adverse impact or significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

#### **Job Impact Statement**

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purposes of the amendments

that they will not have a substantial adverse impact on jobs and/or employment opportunities.

## Office of Mental Health

### NOTICE OF EXPIRATION

The following notice has expired and cannot be reconsidered unless the Office of Mental Health publishes a new notice of proposed rule making in the *NYS Register*.

#### Administrative Compensation

I.D. No.	Proposed	Expiration Date
OMH-46-22-00012-P	November 16, 2022	November 16, 2023

## Public Service Commission

### ERRATUM

A Notice of Proposed Rule Making, I.D. No. PSC-48-23-00005-P, pertaining to Community Distributed Generation and published in the November 29, 2023 issue of the *State Register* contained a typographical error in the case number at the end of the notice. The notice inadvertently indicated that the case number is 19-E-0463SP4; the correct case number for the proposed rule making is 19-M-0463SP4.

### NOTICE OF ADOPTION

#### Joint Proposal Establishing Rate Plan

**I.D. No.** PSC-02-23-00025-A

**Filing Date:** 2023-11-16

**Effective Date:** 2023-11-16

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

**Action taken:** On 11/16/23, the PSC adopted an order adopting the terms of a joint proposal establishing a three-year steam rate plan for Consolidated Edison Company of New York, Inc. (Con Edison) during the period commencing November 1, 2023, through October 31, 2026.

**Statutory authority:** Public Service Law, sections 79 and 80

**Subject:** Joint proposal establishing rate plan.

**Purpose:** To adopt the terms of a joint proposal establishing a three-year steam rate plan for Con Edison.

**Substance of final rule:** The Commission, on November 16, 2023, adopted an order adopting the terms of a joint proposal, signed by Consolidated Edison Company of New York, Inc. (Con Edison), trial staff of the Department of Public Service (DPS Staff or Staff), the City of New York (NYC), Consumer Power Advocates (CPA), and Natural Resources Defense Council (NRDC), establishing a three-year steam rate plan for Con Edison during the period commencing November 1, 2023, through October 31, 2026. Con Edison is directed to file a cancellation supplement, effective on not less than one day's notice, on or before November 21, 2023, cancelling the tariff amendments and supplements listed in Attachment 2. Con Edison is directed to file, on not less than five days' notice, to take effect on December 1, 2023, on a temporary basis, such tariff changes as are necessary to effectuate the terms of the order for Rate Year 1, the twelve-month period ending October 31, 2024. Con Edison shall serve copies of its filing on all active parties to this proceeding. Any party wishing to comment on the tariff amendments may do so by electronically filing its comments with the Secretary to the Commission and serving its comments upon all active parties within 10 days of service of the tariff amendments. The amendments specified in the compliance filings shall not become effective on a permanent basis until approved by the Commission and will be subject to refund if any showing is made that the revisions are not in compliance with the order. Con Edison is directed to file such further tariff changes as are necessary to effectuate the terms and provisions for Rate Year 2, the twelve-month period ending October 31, 2025, and for Rate Year 3, the twelve-month period ending October 31, 2026. Such changes shall be filed on not less than 30 days' notice to be effective on a temporary basis until approved by the Commission. Con Edison must

file a steam decarbonization study and implementation plan, a marginal cost study for steam, and a steam business development plan with the Secretary by December 31, 2024. Con Edison is also directed to file a comprehensive summary of all charges to be included on customers' bills and the associated impacts when it next files a major rate case for its steam business, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the January 11, 2023 issue of the Register, I.D. No. PSC-02-23-00025-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-S-0659SA1)

### NOTICE OF ADOPTION

#### DPS Staff Whitepaper on Electric Vehicle Make-Ready Program Midpoint Review

**I.D. No.** PSC-11-23-00002-A

**Filing Date:** 2023-11-16

**Effective Date:** 2023-11-16

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

**Action taken:** On 11/16/23, the PSC adopted an order approving, with modifications, the Department of Public Service Staff (DPS Staff) Electric Vehicle Make-Ready Program Midpoint Review Whitepaper's recommendations.

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

**Subject:** DPS Staff Whitepaper on Electric Vehicle Make-Ready Program Midpoint Review.

**Purpose:** To approve, with modifications, the recommendations in DPS Staff's Whitepaper.

**Substance of Final Rule:** The Commission, on November 16, 2023, adopted an order approving, with modifications, the Department of Public Service Staff (DPS Staff) Electric Vehicle Make-Ready Program Midpoint Review Whitepaper's recommendations. DPS Staff is directed to conduct a program review that facilitates the ramping-down of the Make-Ready Program. Consolidated Edison Company of New York, Inc. is directed to increase the allowable number of megawatts per site from 3 megawatts to 6 megawatts. Central Hudson Gas & Electric Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, New York State Electric & Gas Corporation, Orange and Rockland Utilities, Inc., and Rochester Gas & Electric Corporation are directed to increase and reallocate funding. Consolidated Edison Company of New York, Inc., Central Hudson Gas & Electric Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, New York State Electric & Gas Corporation, Orange and Rockland Utilities, Inc., and Rochester Gas & Electric Corporation (collectively, the Major Utilities) are directed to file an annual report detailing the progress of the Make-Ready Program. The Major Utilities are directed to individually file an end-of-program report within 80 days of either the plug goals being met, or program budget being depleted, whichever comes first. The Major Utilities are directed to file updated implementation plans, by January 12, 2024, and on a semi-annual basis thereafter, or immediately if program modifications are made. The Major Utilities are directed to coordinate the development of uniform and consistent definitions related to the administration budget reporting as part of the first semi-annual update to the implementation plans. Department of Public Service Staff shall initiate an Electric Vehicle Infrastructure Interconnection Working Group no later than March 15, 2024. Consolidated Edison Company of New York, Inc. shall submit a straw proposal that describes its efforts in streamlining their queue management system no later than March 15, 2024. The Major Utilities are directed to ensure that Make-Ready Program applicants who are applying for curbside charging incentives have demonstrated that each curbside charger is associated with a designated electric vehicle charging-only parking space, and that a framework is in place to prevent noncharging vehicles from blocking access to electric vehicle chargers. Consolidated Edison Company of New York, Inc., and Orange and Rockland Utilities, Inc., shall jointly administer \$20 million in funding for a

downstate Micromobility Make-Ready Program. Consolidated Edison Company of New York, Inc., and Orange and Rockland Utilities, Inc., are directed to file a joint Micromobility Make-Ready Implementation Plan no later than February 2, 2024. The New York State Energy Research and Development Authority (NYSERDA) is directed to develop and implement a research and development micromobility grant program. NYSEDA is directed to update the Appendix of the Bill-As-You Go Summary to reflect the upstate micromobility program, within 30 days of the order. NYSEDA is directed to file a Micromobility Implementation Plan, on or before February 15, 2024. NYSEDA is directed to file an annual report for the upstate micromobility program, no later than March 1 of each year, beginning in 2025. Consolidated Edison Company of New York, Inc., is directed to limit eligibility for incentives at the enhanced tier for L2 chargers at multi-unit dwellings. The Major Utilities are directed to extend eligibility for enhanced L2 incentives to all multi-unit dwellings that meet the site-specific criteria and submit the necessary documentation, regardless of their location. The Major Utilities are directed to work with Department of Public Service Staff and the New York State and Federal agencies responsible for regulating affordable housing to increase awareness of and facilitate access to Make-Ready Program incentives. The Major Utilities are directed to update the Participant Guide to reflect the changes to the Make-Ready Program. As part of the application process, the Major Utilities are directed to provide approved contractors with information related to NYSEDA's workforce development programs. Department of Public Service Staff are directed to convene a technical conference in 2024 to consider interoperability and universal accessibility of charger hardware. The Major Utilities are directed to confirm that any installation funded with Make-Ready Program incentives shall be hardware capable for ISO 15118 parts 2 and 20, and achieve software conformance within one year of the date of the order. The Major Utilities are directed to confirm that any installation funded with Make-Ready Program incentives shall require hardware conformance with OCPP version 2.0.1 or later within one year of the issuance of the order. The Major Utilities shall update their Value of Distributed Energy Resources (VDER) tariffs on not less than 30 days' notice, to become effective on January 1, 2024, to reflect the eligibility of vehicle to grid integration under the VDER Value Stack tariff. The Major Utilities are directed to file annual reports, no later than March 1 of each year. The Major Utilities are directed to develop an online tracker that monitors the committed and completed L2 and DCFC plug installations, as well as the committed and completed L2 and DCFC budgets, by service territory. Additionally, the online tracker shall reflect the same data for the enhanced tier. This tracker shall be updated, at least, on a monthly basis. The Major Utilities are directed to develop, and file no later than March 1, 2024, a Data Reporting Compliance Plan. The Major Utilities shall file the first Semi-Annual Report no later than August 23, 2024, that contains all of the required data from all station owners, retroactive from the Make-Ready Program's inception. The Major Utilities shall require all Make-Ready Program-funded sites to display easily identifiable, up-to-date contact information for the electric vehicle service provider on each charger. The Major Utilities shall expand the Electric Vehicle Load Serving Capacity Maps. The Major Utilities are directed to work with Department of Public Service Staff to identify existing load serving capacity at school transportation facilities within 180 days of the order. The Major Utilities are directed to develop a single online application portal for the Medium- and Heavy-Duty Pilot. The Major Utilities are directed to develop a standardized, web-based form for fleet assessment services, within 120 days of the issuance of the order. The Major Utilities shall file tariff revisions to effectuate the provisions directed in this Order. The tariffs amendments shall be filed on not less than 30 days' notice become effective on January 1, 2024, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the March 15, 2023 issue of the Register, I.D. No. PSC-11-23-00002-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(18-E-0138SA10)

**NOTICE OF ADOPTION**

**Intra-corporate Reorganization**

**I.D. No.** PSC-16-23-00016-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order authorizing an intra-corporate reorganization dissolving the Pennsylvania Electric Company (Penelec) and three other FirstEnergy Corp. subsidiaries to merge into the FirstEnergy Pennsylvania Electric Company (FE PA).

**Statutory authority:** Public Service Law, section 70

**Subject:** Intra-corporate reorganization.

**Purpose:** To authorize an intra-corporate reorganization.

**Substance of final rule:** The Commission, on November 16, 2023, adopted an order authorizing an intra-corporate reorganization dissolving the Pennsylvania Electric Company (Penelec) and three other FirstEnergy Corp. subsidiaries, Metropolitan Edison Company, Pennsylvania Power Company, and West Penn Power Company, to merge into the FirstEnergy Pennsylvania Electric Company (FE PA). The authority is granted for one year from the issuance of the order and shall expire if the transaction does not occur within that period. FE PA shall file with the Secretary to the Commission a letter confirming that Penelec has merged into FE PA within 30 days of the date of the transaction. FE PA is directed to file, within one year of completing compliance to Ordering Clause No. 2, a consecutively numbered supplement cancelling Penelec's tariff schedule, P.S.C. No. 7 – Electricity. FE PA is directed to file on not less than 30 days' notice, within one year of completing compliance to Ordering Clause No. 2, a new tariff schedule to effectuate changes necessary to reflect the consolidation of Penelec into FE PA. FE PA shall maintain all existing ring-fencing measures that are currently in place between FirstEnergy Corp. and its subsidiaries, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company. Specifically, FE PA is required to maintain the following: (1) a separate, stand-alone legal operation from FirstEnergy Corp., (2) its own records and books, (3) separate funding arrangements from FirstEnergy Corp., and (4) abstain from cross-default provisions. FE PA shall file with the Secretary within 60 days of the issuance of the order a report, that: (1) identifies any documents referencing Penelec and its plan to have such references changed to the FE PA, with deadlines for effecting such modifications; or (2) explains that it has reviewed all relevant documents and confirmed that none refer to Penelec, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00016-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(23-E-0118SA1)

**NOTICE OF ADOPTION**

**Immediate Solutions Program**

**I.D. No.** PSC-19-23-00014-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order approving Immediate Solutions Program proposal filings by the Joint Utilities and directed the implementation of those proposals.

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

**Subject:** Immediate Solutions Program.

**Purpose:** To approve Immediate Solutions Program proposal filings.

**Substance of final rule:** The Commission, on November 16, 2023, adopted an order approving Immediate Solutions Program proposal filings by Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), Orange and Rockland Utilities, Inc. (O&R), and Rochester Gas & Electric Corporation (RG&E) (collectively, the Joint Utilities) and directed the implementation of those proposals. The Joint Utilities' proposed Demand Charge Rebate Programs, Commercial Managed Charging Programs, termination of the PPI program, and data reporting requirements are approved as modified, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00014-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-E-0236SA2)

### NOTICE OF ADOPTION

#### Implementation Plan

**I.D. No.** PSC-19-23-00018-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order approving, with modifications, Central Hudson Gas and Electric Corporation's (Central Hudson) Implementation Plan.

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

**Subject:** Implementation Plan.

**Purpose:** To approve, with modifications, Central Hudson's Implementation Plan.

**Substance of final rule:** The Commission, on November 16, 2023, adopted an order approving, with modifications, Central Hudson Gas and Electric Corporation's (Central Hudson) Implementation Plan for the Demand Charge Rebate. Central Hudson shall file updated Implementation Plans by December 1, 2023. Central Hudson shall file annual updates, or more frequent updates as needed, to their Implementation Plans beginning on March 1, 2025. Central Hudson shall file tariff amendments consistent with the draft tariff leaves submitted in their Implementation Plan, to become effective sixty days after the effective date of the order, on not less than one day's notice. Central Hudson shall update its Implementation Plan to specify that Demand Charge Rebate Program costs shall be recovered on a one-year lag without multi-year amortization of such costs. Central Hudson shall include tariff amendments excluding customers participating in economic development rate programs from also participating in the Demand Charge Management Program. Central Hudson shall update their Implementation Plans, as required in Ordering Clause No. 2, to include detailed information requiring outreach to Per-Plug Incentive Program participants. Central Hudson shall update their Implementation Plans, as required in Ordering Clause No. 2, to clarify that there will be no rebate against surcharges or supply charges that are billed on a per-kilowatt basis under the Demand Charge Rebate Program. Central Hudson shall clarify that there will be no rebate against surcharges or supply charges that are billed on a per-kilowatt basis under the Demand Charge Rebate Program in the tariff filing required in Ordering Clause No. 4, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00018-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-E-0236SA3)

### NOTICE OF ADOPTION

#### Implementation Plan

**I.D. No.** PSC-19-23-00020-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) Implementation Plan.

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

**Subject:** Implementation Plan.

**Purpose:** To approve National Grid's Implementation Plan.

**Substance of final rule:** The Commission, on November 16, 2023, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) Implementation Plan for the Demand Charge Rebate, and cost recovery mechanism. National Grid shall file updated Implementation Plans, including modifications as discussed in the body of this Order, by December 1, 2023. National Grid shall file annual updates, or more frequent updates as needed, to their Implementation Plans beginning on March 1, 2025. National Grid shall file tariff amendments consistent with the draft tariff leaves submitted in their Implementation Plan, to become effective sixty days after the effective date of the order, on not less than one day's notice. National Grid shall update their Implementation Plans, as required in Ordering Clause No. 2, to include detailed information requiring outreach to Per-Plug Incentive Program participants. National Grid shall update their Implementation Plans, as required in Ordering Clause No. 2, to clarify that there will be no rebate against surcharges or supply charges that are billed on a per-kilowatt basis under the Demand Charge Rebate Program. National Grid shall update its Implementation Plans, as required in Ordering Clause No. 2, to clarify that the Demand Charge Rebate Program will end when the EV Phase-In Rate becomes available for customers, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00020-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-E-0236SA5)

### NOTICE OF ADOPTION

#### Implementation Plan

**I.D. No.** PSC-19-23-00021-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order approving Consolidated Edison Company of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc.'s (O&R) Implementation Plan.

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

**Subject:** Implementation Plan.

**Purpose:** To approve Con Edison and O&R's Implementation Plan.

**Substance of final rule:** The Commission, on November 16, 2023,

adopted an order approving Consolidated Edison Company of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc.'s (O&R) Implementation Plan for the Demand Charge Rebate and Commercial Managed Charging Program, and cost recovery mechanisms. Con Edison and O&R shall file annual updates, or more frequent updates as needed, to their Implementation Plans beginning on March 1, 2025. Con Edison and O&R shall file tariff amendments consistent with the draft tariff leaves submitted in their respective Implementation Plans, to become effective sixty days after the effective date of the order, on not less than one day's notice, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00021-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

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

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

(22-E-0236SA4)

## NOTICE OF ADOPTION

### **Implementation Plan**

**I.D. No.** PSC-19-23-00023-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order approving New York State Electric & Gas Corporation (NYSEG) and Rochester Gas & Electric Corporation's (RG&E) Implementation Plan.

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

**Subject:** Implementation Plan.

**Purpose:** To approve NYSEG and RG&E's Implementation Plan.

**Substance of Final Rule:** The Commission, on November 16, 2023, adopted an order approving New York State Electric & Gas Corporation (NYSEG) and Rochester Gas & Electric Corporation's (RG&E) Implementation Plan for the Demand Charge Rebate, and cost recovery mechanism. NYSEG and RG&E shall file updated Implementation Plans, including modifications as discussed in the body of this Order, by December 1, 2023. NYSEG and RG&E shall file annual updates, or more frequent updates as needed, to their Implementation Plans beginning on March 1, 2025. NYSEG and RG&E shall file tariff amendments consistent with the draft tariff leaves submitted in their respective Implementation Plans, to become effective sixty days after the effective date of the order, on not less than one day's notice. NYSEG and RG&E shall update their Implementation Plans, as required in Ordering Clause No. 2, to include detailed information requiring outreach to Per-Plug Incentive Program participants. NYSEG and RG&E shall update their Implementation Plans, as required in Ordering Clause No. 2, to clarify that there will be no rebate against surcharges or supply charges that are billed on a per-kilowatt basis under the Demand Charge Rebate Program. NYSEG and RG&E shall clarify that there will be no rebate against surcharges or supply charges that are billed on a per-kilowatt basis under the Demand Charge Rebate Program in the tariff filing required in Ordering Clause No. 4. NYSEG and RG&E shall update their Implementation Plans, as required in Ordering Clause No. 2, to clarify that Demand Charge Rebate Program costs will be allocated among service classifications based on the transmission and distribution revenues allocator, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00023-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

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

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

(22-E-0236SA6)

## NOTICE OF ADOPTION

### **Transfer of Interconnection Facilities**

**I.D. No.** PSC-20-23-00003-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order authorizing New York Transco LLC (NY Transco) to transfer interconnection facilities associated with the Rock Tavern to Sugarloaf project to Orange and Rockland Utilities, Inc. (O&R).

**Statutory authority:** Public Service Law, sections 5, 64, 65, 66 and 70

**Subject:** Transfer of interconnection facilities.

**Purpose:** To approve the transfer of interconnection facilities from NY Transco to O&R.

**Substance of Final Rule:** The Commission, on November 16, 2023, adopted an order authorizing New York Transco LLC to transfer interconnection facilities associated with the Rock Tavern to Sugarloaf project to Orange and Rockland Utilities, Inc. (O&R). O&R shall file with the Secretary, within 60 days of the closing date of the transaction(s), a copy of the final journal entries recorded to account for the transfer of the Interconnection Facilities, and related workpapers, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 17, 2023 issue of the Register, I.D. No. PSC-20-23-00003-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

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

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

(23-E-0185SA1)

## NOTICE OF ADOPTION

### **Transfer of Assets**

**I.D. No.** PSC-22-23-00006-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order authorizing National Fuel Gas Distribution Corporation (National Fuel) to transfer a portion of their distribution facilities, located within the territory of the Seneca Nation of Indians, to the Seneca Nation.

**Statutory authority:** Public Service Law, sections 5, 65, 66 and 70

**Subject:** Transfer of assets.

**Purpose:** To authorize National Fuel to transfer assets to the Seneca Nation.

**Substance of Final Rule:** The Commission, on November 16, 2023, adopted an order authorizing National Fuel Gas Distribution Corporation (National Fuel) to transfer a portion of their distribution facilities, located within the territory of the Seneca Nation of Indians (Seneca Nation), to the Seneca Nation, to allow the Seneca Nation to operate the system and serve its members within the Seneca Nation's Cattaraugus Territory. National Fuel requires the Commission's authorization, pursuant to Public Service Law § 70, before it can proceed with the proposed transfer of assets from National Fuel to the Seneca Nation. The authority to transfer is granted for one year from the issuance of the order and shall expire if the transaction is not completed within the one-year period. National Fuel shall file with the Secretary, within 60 days of the expiration of the authority granted pursuant to Ordering Clause 2, an explanation of why the transaction did not occur, if the sale of the Property is not completed within one year of the date of the order. National Fuel shall file with the Secretary, within 60

days of the transfer of the distribution facilities to the Seneca Nation, a copy of the actual journal entries recorded to account for this transaction, together with the related workpapers, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 31, 2023 issue of the Register, I.D. No. PSC-22-23-00006-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(23-G-0222SA1)

## NOTICE OF ADOPTION

### Long-Term Financing Petition

**I.D. No.** PSC-26-23-00008-A

**Filing Date:** 2023-11-21

**Effective Date:** 2023-11-21

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

**Action taken:** On 11/16/23, the PSC adopted an order authorizing Central Hudson Gas & Electric Corporation (Central Hudson) to issue and sell up to \$380 million of long-term debt securities, in one or more transactions, not later than December 31, 2026.

**Statutory authority:** Public Service Law, section 69

**Subject:** Long-term financing petition.

**Purpose:** To approve Central Hudson's long-term financing petition.

**Text or summary was published** in the June 28, 2023 issue of the Register, I.D. No. PSC-26-23-00008-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(23-M-0286SA1)

## NOTICE OF ADOPTION

### DEI Plans

**I.D. No.** PSC-27-23-00007-A

**Filing Date:** 2023-11-16

**Effective Date:** 2023-11-16

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

**Action taken:** On 11/16/23, the PSC adopted an order releasing a final assessment of Diversity, Equity, and Inclusion (DEI) Plans for NY State Utilities and directed the utilities to continue the process with FTI Consulting (SC) Inc. and the Dept. of Public Service.

**Statutory authority:** Public Service Law, sections 5, 65, 66, 89-b and 89-c

**Subject:** DEI Plans

**Purpose:** To establish a continued process to continue to improve DEI efforts.

**Substance of Final Rule:** The Commission, on November 16, 2023, adopted an order releasing a final assessment of Diversity, Equity, and Inclusion (DEI) Plans for New York State Utilities and directed the utilities to continue the process with FTI Consulting (SC) Inc. and the Department of Public Service. The "Final Assessment of DEI Plans for New York State Utilities", prepared by FTI Consulting (SC) Inc., shall be made

public. Consolidated Edison Company of New York, Inc.; Niagara Mohawk Power Corporation d/b/a National Grid; The Brooklyn Union Gas d/b/a National Grid NY; KeySpan Gas East Corporation d/b/a National Grid; Central Hudson Gas & Electric Corporation; National Fuel Gas Distribution Corporation; Orange and Rockland Utilities, Inc.; Rochester Gas and Electric Corporation; New York State Electric & Gas Corporation; Liberty Utilities (New York Water) Corp.; and Veolia Water New York, Inc. are directed to continue the engagement with FTI Consulting (SC) Inc. and the Department of Public Service to facilitate sharing information and best practices among the utilities, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the July 5, 2023 issue of the Register, I.D. No. PSC-27-23-00007-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(22-M-0314SA1)

## NOTICE OF ADOPTION

### Transfer of Property

**I.D. No.** PSC-30-23-00006-A

**Filing Date:** 2023-11-21

**Effective Date:** 2023-11-21

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

**Action taken:** On 11/16/23, the PSC adopted an order authorizing The Brooklyn Union Gas Company d/b/a National Grid (KEDNY) to sell the property located at 2731 West 12th Street, Brooklyn, New York to Prologis, L.P. (Prologis).

**Statutory authority:** Public Service Law, section 70

**Subject:** Transfer of property.

**Purpose:** To approve the transfer of property from KEDNY to Prologis.

**Text or summary was published** in the July 26, 2023 issue of the Register, I.D. No. PSC-30-23-00006-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(23-G-0342SA1)

## NOTICE OF ADOPTION

### Petition for Incidental Regulation

**I.D. No.** PSC-31-23-00003-A

**Filing Date:** 2023-11-21

**Effective Date:** 2023-11-21

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

**Action taken:** On 11/16/23, the PSC adopted an order granting Pearl River Campus, LLC's (PRC) petition for incidental regulation as a water-works corporation.

**Statutory authority:** Public Service Law, sections 2(2-a), (3), (4), (13), (22) and 89-c

**Subject:** Petition for incidental regulation.

**Purpose:** To grant PRC's petition for incidental regulation as a water-works corporation.

*Text or summary was published* in the August 2, 2023 issue of the Register, I.D. No. PSC-31-23-00003-P.

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

*Text of rule may be obtained from:* John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(23-M-0337SA1)

## NOTICE OF ADOPTION

### Petition to Adjust Reference Capacity Price Formulas

**I.D. No.** PSC-32-23-00017-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

*Action taken:* On 11/16/23, the PSC adopted an order approving, in part, and denying, in part, New York State Energy Research and Development Authority's (NYSERDA) petition to adjust the Reference Capacity Price formulas.

*Statutory authority:* Public Service Law, sections 4(1), 5(1), (2), 66(2), 66-p and 6-104(5)(b)

*Subject:* Petition to adjust Reference Capacity Price formulas.

*Substance of Final Rule:* The Commission, on November 16, 2023, adopted an order approving, in part, and denying, in part, New York State Energy Research and Development Authority's (NYSERDA) petition to adjust the Reference Capacity Price formulas in index renewable energy certificate and offshore wind renewable energy certificate purchase and sales agreements, subject to the terms and conditions set forth in the order.

*Purpose:* To approve, in part, and deny, in part, NYSEDA's petition to adjust the Reference Capacity Price formulas.

*Text or summary was published* in the August 9, 2023 issue of the Register, I.D. No. PSC-32-23-00017-P.

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

*Text of rule may be obtained from:* John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(15-E-0302SA61)

## NOTICE OF ADOPTION

### Transfer of Interconnection Facilities

**I.D. No.** PSC-32-23-00020-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

*Action taken:* On 11/16/23, the PSC adopted an order authorizing New York Transco LLC (NY Transco) to transfer interconnection facilities associated with the New York Energy Solutions project to Consolidated Edison Company of New York, Inc. (Con Edison).

*Statutory authority:* Public Service Law, sections 5, 64, 65, 66 and 70

*Subject:* Transfer of interconnection facilities.

*Purpose:* To approve the transfer of interconnection facilities from NY Transco to Con Edison.

*Substance of Final Rule:* The Commission, on November 16, 2023, adopted an order authorizing New York Transco LLC to transfer intercon-

nection facilities associated with the New York Energy Solutions project to Consolidated Edison Company of New York, Inc. (Con Edison). Con Edison shall file with the Secretary, within 60 days of the closing date of the transaction(s), a copy of the final journal entries recorded to account for the transfer of the Interconnection Facilities, and related workpapers, subject to the terms and conditions set forth in the order.

*Text or summary was published* in the August 9, 2023 issue of the Register, I.D. No. PSC-32-23-00020-P.

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

*Text of rule may be obtained from:* John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(22-E-0603SA1)

## NOTICE OF ADOPTION

### Petition for Rehearing and Reconsideration and Tariff Amendments

**I.D. No.** PSC-33-23-00004-A

**Filing Date:** 2023-11-21

**Effective Date:** 2023-11-21

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

*Action taken:* On 11/16/23, the PSC adopted an order granting Pennsylvania Electric Company's (Penelec) petition for rehearing and reconsideration and directing Penelec to file tariff amendments to P.S.C. No. 7 — Electricity, to become effective on December 1, 2023.

*Statutory authority:* Public Service Law, sections 5, 22, 65 and 66

*Subject:* Petition for rehearing and reconsideration and tariff amendments.

*Purpose:* To grant Penelec's petition for rehearing and reconsideration and direct filing of tariff amendments.

*Text or summary was published* in the August 16, 2023 issue of the Register, I.D. No. PSC-33-23-00004-P.

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

*Text of rule may be obtained from:* John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitu cci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(22-E-0668SA2)

## NOTICE OF ADOPTION

### Financing Arrangement

**I.D. No.** PSC-33-23-00005-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

*Action taken:* On 11/16/23, the PSC adopted an order authorizing New York Transco LLC (NY Transco) to enter into financing arrangements, up to a maximum amount of \$1.4 billion, to support the Propel NY Energy transmission project.

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

*Subject:* Financing arrangement.

*Purpose:* To authorize NY Transco to enter into financing arrangements.

*Substance of Final Rule:* The Commission, on November 16, 2023, adopted an order authorizing New York Transco LLC (NY Transco) to enter into financing arrangements, up to a maximum amount of \$1.4 bil-

lion, to support the Propel NY Energy transmission project, subject to the terms and conditions set forth in the order.

**Text or summary was published in** the August 16, 2023 issue of the Register, I.D. No. PSC-33-23-00005-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (23-E-0390SA1)

## NOTICE OF ADOPTION

### Financing Petition

**I.D. No.** PSC-35-23-00024-A

**Filing Date:** 2023-11-20

**Effective Date:** 2023-11-20

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

**Action taken:** On 11/16/23, the PSC adopted an order authorizing National Fuel Gas Distribution Corporation (National Fuel) to issue up to \$300 million of promissory notes through December 31, 2026.

**Statutory authority:** Public Service Law, section 69

**Subject:** Financing petition.

**Purpose:** To authorize National Fuel's financing petition.

**Substance of Final Rule:** The Commission, on November 16, 2023, adopted an order, subject to conditions, authorizing National Fuel Gas Distribution Corporation (National Fuel) to issue up to \$300 million of promissory notes in one or more transactions, not later than December 31, 2026. The proceeds from the issuance of these promissory notes shall only be used for the purposes described in Ordering Clause 2. The order supersedes the authorization granted in the Order Authorizing Issuance of Securities, issued December 18, 2020, in Case 20-G-0317, and the authorization granted by that order is revoked. The proceeds from the issuance of promissory notes authorized by the order may be used only as follows: (a) for the acquisition of property, the construction, completion, extension, or improvement of National Fuel's facilities or the improvement or maintenance of National Fuel's service within New York State (to the extent such expenditures exceed funds originating from credits to the accumulated provision for depreciation, net salvage, and accumulated deferred income taxes); (b) for the discharge or lawful refunding of the Company's obligations; or (c) to reimburse National Fuel's treasury for equivalent moneys expended for those purposes prior to March 31, 2023, provided that the Company has kept its accounts and vouchers of such expenditures in such a manner as to enable us to ascertain the amount of moneys so expended and the purposes for which such expenditures were made. Within 30 days after the end of each quarter, National Fuel shall submit a compliance filing to the Secretary to the Commission containing the elements described in the body of the order for any promissory notes executed during the preceding quarter. If National Fuel does not issue any promissory notes during that quarterly period, the Company shall submit a compliance filing indicating that no such promissory notes were issued. If National Fuel executes any derivative contracts during the preceding quarter, it shall submit to the Secretary to the Commission a compliance filing containing the elements described in the body of the order for any derivative contracts executed during the preceding quarter. National Fuel is authorized to defer its costs associated with the early redemption of imminently maturing debt in Account 181, Unamortized Debt Expense, subject to the conditions in the body of the order. The amounts so deferred shall be amortized to Account 428, Amortization of Debt Discount and Expense. Debt shall be considered imminently maturing if and only if it will mature within twelve months. Within 60 days after the end of each calendar year, National Fuel shall file, with the Secretary, a verified report in the form prescribed by 16 NYCRR Section 245.1. The report shall include the date the proceeds were utilized for the purposes authorized in Clauses 1 and 2 of the order, the amount, and the purpose for which the funds were utilized. If upon examination of the uses of proceeds, it is determined that any expenditure is not a reasonable and proper capital charge, or has not been duly authorized by the Commission, or is in violation of any provision of law, a sum equal to such expenditure shall, upon

order of the Commission, promptly be placed in an account in a commercial banking institution or institution. Said sum shall be subject to all of the conditions and restrictions of the order. The authority granted and the condition imposed by the order shall not be construed as passing upon or otherwise approving the accuracy of the books, records, and accounts of National Fuel, nor does the authority to issue promissory notes bind this Commission to any specific ratemaking treatment or regulatory regime. The promissory notes authorized by the order shall not be issued unless and until National Fuel files with the Commission an unconditional acceptance by National Fuel to obey all the terms, conditions, and requirements of the order. If such acceptance is not filed within 30 days from the effective date of the order, the Commission may revoke the order without further notice, subject to the terms and conditions set forth in the order.

**Text or summary was published in** the August 30, 2023 issue of the Register, I.D. No. PSC-35-23-00024-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (23-G-0378SA1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### The Electric and Gas RDM Targets for Rate Years 2 and 3

**I.D. No.** PSC-49-23-00002-P

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

**Proposed Action:** The Commission is considering the petition filed by Consolidated Edison Company of New York, Inc. (Con Edison) to correct the electric and gas revenue decoupling mechanism (RDM) targets for rate years 2 and 3 of the current rate plans.

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

**Subject:** The electric and gas RDM targets for rate years 2 and 3.

**Purpose:** To address claimed errors regarding the electric and gas RDM targets.

**Substance of proposed rule:** The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. (Con Edison or the Company) on November 6, 2023, requesting corrections to the revenue decoupling mechanism (RDM) established in the 2023 Rate Order, issued July 20, 2023, for the Company's electric and gas businesses.

According to Con Edison, it recently discovered that the RDM targets for Rate Year 2 and Rate Year 3 for both electric and gas businesses reflect an inadvertent computational error. The sales forecast changes embedded in the revenue requirements were not correctly translated to the sales forecast changes used to set the RDM targets as reflected in Appendices 4 and 5 of the Joint Proposal. For Rate Year 2, the calculation of the revenue requirement model correctly uses the Rate Year 1 sales revenue, adjusted for the Rate Year 1 revenue requirement increase. The RDM target model, however, incorrectly uses the Company's sales revenue forecast for Rate Year 2 as originally filed in the rate cases, adjusted for the Rate Year 1 revenue requirement increase. Both models then correctly applied adjustments for the Rate Year 2 sales forecast change and the Rate Year 2 revenue requirement increase. The same error occurred for Rate Year 3. The revenue requirement model correctly used Rate Year 2 sales revenue, but the RDM target model used the Company's sales revenue forecast in its rate filing for Rate Year 3, not the sales revenue forecast in the Joint Proposal. Con Edison requests that the Commission grant its petition to correct the RDM targets established by the 2023 Rate Order for both its electric and gas businesses. According to the Company, correcting these errors will not result in any rate impacts to customers incremental to what was approved in the 2023 Rate Order.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page:



www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

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

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

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

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

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

(22-E-0064SP3)

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

**Notice of Intent to Submeter Electricity**

**I.D. No.** PSC-49-23-00003-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 notice of intent of 959 Sterling Partners LLC to submeter electricity at 959 Sterling Place, Brooklyn, New York.

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

**Subject:** Notice of intent to submeter electricity.

**Purpose:** To ensure adequate submetering equipment and consumer protections are in place.

**Substance of proposed rule:** The Commission is considering the notice of intent filed by 959 Sterling Partners LLC (Owner) on October 23, 2023, seeking authority to submeter electricity to a new rental building with fair-market and rent-stabilized units at 959 Sterling Place, Brooklyn, New York 11213, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice, 959 Sterling Partners LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

The notice of intent states that the building has 158 residential rental units, 48 of which will be reserved for residents earning up to 130 percent of the average median income (AMI). Because no units are reserved for people earning less than the AMI, the notice of intent states that an energy audit of the building is not required. The building will incorporate various energy efficiency features, such as energy star rated appliances, high efficiency light fixtures, and a variable refrigerant flow system for heating and cooling, which is not considered "electric heat" by the Commission.

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

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

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

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

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

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

(23-E-0609SP1)

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

**Petition for Authorization to Utilize CWIP in Rate Base for Phase 2 Projects**

**I.D. No.** PSC-49-23-00004-P

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

**Proposed Action:** The Commission is considering the revised petition filed by NYSEG and RG&E for authorization from the Federal Energy Regulatory Commission to utilize Construction Work in Progress (CWIP) in rate base for Phase 2 Projects.

**Statutory authority:** Public Service Law, sections 4, 5, 65, 66 and the Accelerated Renewable Energy Growth and Community Benefit Act of 2020.

**Subject:** Petition for authorization to utilize CWIP in rate base for Phase 2 Projects.

**Purpose:** To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.

**Substance of proposed rule:** The New York State Public Service Commission (Commission) is considering the revised petition filed on October 17, 2023 by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation (together, the Companies), seeking authorization from the Federal Energy Regulatory Commission (FERC) to utilize Construction Work in Progress (CWIP) in rate base for certain local transmission projects (Petition).

The Companies explain that they are seeking the Commission's approval prior to filing a petition with the FERC to utilize 100% CWIP in rate base for their Phase 2 local transmission projects (Projects) approved by the Commission in its February 16, 2023 Order Approving Phase 2 Areas of Concern Transmission Upgrades. In accordance with the Cost Sharing and Recovery Agreement, addressed by the Commission in its May 12, 2022 order in this proceeding, Commission approval is required.

According to the Companies, including 100% of CWIP in rate base will save ratepayers an estimated \$290 million in costs associated with the Projects due to reduced capitalized costs and associated income and gross receipt taxes. The Companies elaborate that if they did not utilize CWIP and were to defer cash recovery until the Projects enter operation, the challenges that they already face in maintaining their credit metrics for investment grade ratings would be exacerbated. The Companies indicate that utilizing CWIP will help to mitigate the financial burden and impacts on the Companies' cash flow and credit metrics.

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

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

**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) 474-6517, 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.

(20-E-0197SP18)

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

**Purchase of Renewable Energy from New Distributed Generators And/or Energy Storage Systems 30 Kilowatts or Less**

**I.D. No.** PSC-49-23-00005-P

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

**Proposed Action:** The Commission is considering a revised proposal filed by Fishers Island Electric Corp. to amend P.S.C. No. 2 — Electricity, to establish rules and regulations governing the purchase of renewable energy from distributed generators and/or energy storage.

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

**Subject:** Purchase of renewable energy from new distributed generators and/or energy storage systems 30 kilowatts or less.

**Purpose:** To establish provisions to ensure safe and reliable service for all customers.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a revised proposal filed by the Fishers Island Electric Corporation (FIEC or the Company) on November 14, 2023, to amend its tariff schedule, P.S.C. No. 2 – Electricity, to establish rules and regulations governing FIEC’s purchase of renewable energy from distributed generators and/or energy storage systems. FIEC indicates that the revised tariff leaves are intended to clarify and provide a more precise description of the proposed compensation mechanism.

FIEC proposes to include Addendum No. 1 to P.S.C. No. 2, entitled “Standardized Interconnection Requirements and Application Process for New Distributed Generators and Energy Storage Systems 30 kilowatts or Less Connected in Parallel with Utility Distributed Systems” (or SIR) in its tariff revisions, which provides the framework for processing applications from distributed generators and/or energy storage systems. The proposed amendments and SIR have an effective date of April 1, 2024.

Under the proposed amendments, the SIR program will be available on a first-come, first-served basis, until the total rated generating capacity is equivalent to 30 kilowatts (or two percent of FIEC’s average system load). Customers will be responsible for 100 percent of any necessary interconnection costs. FIEC proposes to provide one bidirectional energy flow revenue meter for billing and the meter charge will be included in the applicable monthly service charge. Customers will pay the rates and charges under the applicable Service Class for energy delivered to the customer by FIEC.

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

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

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

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

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

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

(23-E-0394SP2)

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

**AMI Meter Reading Charges**

**I.D. No.** PSC-49-23-00006-P

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

**Proposed Action:** The Commission is considering proposals filed by Consolidated Edison Company of New York, Inc. to amend its tariff schedules P.S.C. No. 9 — Gas and P.S.C. No. 10 — Electricity, relating to Advanced Metering Infrastructure (AMI).

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

**Subject:** AMI meter reading charges.

**Purpose:** To assess a meter reading charge for non-residential customers preventing an AMI Meter installation.

**Substance of proposed rule:** The Commission is considering proposals filed by Consolidated Edison of New York, Inc. (Con Edison or the Company) on November 6, 2023, to amend its tariff schedules, P.S.C. No. 9 – Gas, and No. 10 – Electricity. Con Edison proposes to modify provisions related to Advanced Metering Infrastructure (AMI) to allow the Company to assess a meter reading charge to non-residential customers preventing the installation of an AMI meter.

Con Edison also proposes to include language specifying the circumstances under which a customer is considered to have refused to permit the Company to install an AMI meter. The proposed amendments have an effective date of March 1, 2024. The Company will provide public notice of the tariff changes by newspaper publication once a week for four consecutive weeks prior to the effective date of the proposed amendments.

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

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

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

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

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

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

(23-M-0661SP1)

---



---

## Department of State

---



---

### NOTICE OF ADOPTION

**Repeal of Limits on Administrative Expenses and Executive Compensation**

**I.D. No.** DOS-34-23-00011-A

**Filing No.** 992

**Filing Date:** 2023-11-15

**Effective Date:** 2023-12-06

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

**Action taken:** Repeal of Part 144 of Title 19 NYCRR.

**Statutory authority:** Executive Law, section 91

**Subject:** Repeal of limits on administrative expenses and executive compensation.

**Purpose:** Repeal of limits on administrative expenses and executive compensation.

**Text or summary was published** in the August 23, 2023 issue of the Register, I.D. No. DOS-34-23-00011-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Robert Vanderbles, Department of State, One Commerce Plaza, 99 Washington Ave., Suite 1120, Albany, NY 12231-001, (518) 486-7055, email: [Robert.Vanderbles@dos.ny.gov](mailto:Robert.Vanderbles@dos.ny.gov)

**Assessment of Public Comment**

The agency received no public comment.

## Office of Temporary and Disability Assistance

### EMERGENCY RULE MAKING

#### Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)

**I.D. No.** TDA-39-23-00003-E

**Filing No.** 995

**Filing Date:** 2023-11-20

**Effective Date:** 2023-12-10

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

**Action taken:** Amendment of section 387.12(f)(3)(v)(a)-(c) of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 17(a)-(b), (k), 20(3)(d) and 95; 7 United States Code, section 2014(e)(6)(C); 7 Code of Federal Regulations, section 273.9(d)(6)(iii)

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

**Specific reasons underlying the finding of necessity:** It is of great importance that the federally-approved standard utility allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) are applied to SNAP benefit calculations effective October 1, 2023, and thereafter until new amounts eventually are approved by the United States Department of Agriculture (USDA). The new federally-approved SUA amounts for heating/cooling, utilities and telephone must be implemented by the October 1, 2023 deadline. The use of SUAs that are not authorized by the USDA could result in severe fiscal sanctions by the federal government against the State. These emergency amendments protect the public health and general welfare by setting forth the federally-approved SUAs effective as of October 1, 2023.

As stated above, there is no federal authority to use past SUAs after the October 1, 2023 effective date of the new federally-approved allowance amounts. For New York to continue the State option to use the SUA in lieu of the actual utility cost portion of SNAP household shelter expenses, new allowances must be in place. Otherwise, the State may be forced to use the actual utility cost portion of the shelter expenses of each SNAP household. This policy would result in all 58 social services districts (districts) in New York State having to require up to 1.6 million SNAP households to provide verification of the actual utility cost portions of their shelter expenses. This policy would create a tremendous burden on both districts as well as recipient households. In addition, as actual utility costs are generally significantly less than the SUAs, SNAP households would have a much smaller shelter deduction resulting in a sizeable reduction in their SNAP benefits. This reduction in SNAP benefits for up to 1.6 million SNAP households would result in significant harm to the health and welfare of these households.

It is noted that the regulatory amendments are being promulgated pursuant to a Notice of Emergency Adoption due to time constraints. To preserve public health and general welfare, OTDA originally promulgated the emergency rule via a Notice of Emergency Adoption and Proposed Rule Making on September 11, 2023, and the emergency rule became effective on October 1, 2023. The Notice of Emergency Adoption and Proposed Rule Making was published in the New York State Register on September 27, 2023 under I.D. No. TDA-39-23-00003-EP. OTDA will be accepting public comments on the current emergency rule through November 27, 2023. The current emergency rule expires on December 9, 2023.

This first re-adoption of the current emergency rule is necessary in order to avoid a lapse in the current emergency rule, insofar as the expiration of the 60-day public comment period will not provide sufficient time for OTDA to publish a Notice of Adoption in the New York State Register before the current emergency rule expires on December 9, 2023.

**Subject:** Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP).

**Purpose:** These regulatory amendments set forth the federally-approved SUAs as of 10/1/2023.

**Text of emergency rule:** Clauses (a)-(c) of subparagraph (v) of paragraph (3) of subdivision (f) of § 387.12 of Title 18 NYCRR is amended to read as follows:

(a) The standard allowance for heating/cooling consists of the costs for heating and/or cooling the residence, electricity not used to heat or cool the residence, cooking fuel, sewage, trash collection, water fees, fuel for heating hot water and basic service for one telephone. The standard allowance for heating/cooling is available to households which incur heating and/or cooling costs separate and apart from rent and are billed separately from rent or mortgage on a regular basis for heating and/or cooling their residence, or to households entitled to a Home Energy Assistance Program (HEAP) payment or other Low Income Home Energy Assistance Act (LIHEAA) payment. A household living in public housing or other rental housing which has central utility meters and which charges the household for excess heating or cooling costs only is not entitled to the standard allowance for heating/cooling unless they are entitled to a HEAP or LIHEAA payment. Such a household may claim actual costs which are paid separately. Households which do not qualify for the standard allowance for heating/cooling may be allowed to use the standard allowance for utilities or the standard allowance for telephone. As of October 1, [2022] 2023, but subject to subsequent adjustments as required by the United States Department of Agriculture (USDA), the standard allowance for heating/cooling for SNAP applicant and recipient households residing in New York City is [\$1,002] \$992; for households residing in either Suffolk or Nassau Counties, it is [\$932] \$923; and for households residing in any other county of New York State, it is [\$827] \$819.

(b) The standard allowance for utilities consists of the costs for electricity not used to heat or cool the residence, cooking fuel, sewage, trash collection, water fees, fuel for heating hot water and basic service for one telephone. It is available to households billed separately from rent or mortgage for one or more of these utilities other than telephone. The standard allowance for utilities is available to households which do not qualify for the standard allowance for heating/cooling. Households which do not qualify for the standard allowance for utilities may be allowed to use the standard allowance for telephone. As of October 1, [2022] 2023, but subject to subsequent adjustments as required by the USDA, the standard allowance for utilities for SNAP applicant and recipient households residing in New York City is [\$395] \$391; for households residing in either Suffolk or Nassau Counties, it is [\$366] \$363; and for households residing in any other county of New York State, it is [\$335] \$332.

(c) The standard allowance for telephone consists of the cost for basic service for one telephone. The standard allowance for telephone is available to households which do not qualify for the standard allowance for heating/cooling or the standard allowance for utilities. As of October 1, [2022] 2023, but subject to subsequent adjustments as required by the USDA, the standard allowance for telephone for all SNAP applicant and recipient households residing in New York State is \$31.

**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. TDA-39-23-00003-EP, Issue of September 27, 2023. The emergency rule will expire January 18, 2024.

**Text of rule and any required statements and analyses may be obtained from:** Thomas Makely, Office of Temporary and Disability Assistance, 40 North Pearl Street, Floor 16C, Albany, NY 12243-0001, (518) 402-3966, email: thomas.makely@otda.ny.gov

#### **Regulatory Impact Statement**

##### 1. Statutory authority:

The United States Code (U.S.C.), at 7 U.S.C. § 2014(e)(6)(C), provides that in computing shelter expenses for budgeting under the federal Supplemental Nutrition Assistance Program (SNAP), a State agency may use a standard utility allowance (SUA) as provided in federal regulations.

The Code of Federal Regulations (C.F.R.), at 7 C.F.R. § 273.9(d)(6)(iii), provides for SUAs in accordance with SNAP. Clause (A) of this subparagraph states that with federal approval from the Food and Nutrition Services (FNS) of the United States Department of Agriculture (USDA), a State agency may develop SUAs to be used in place of actual costs in calculating a household's excess shelter deduction. Federal regulations allow for the following types of SUAs: a SUA for all utilities that includes heating or cooling costs; a limited utility allowance that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone, and garbage or trash collection; and an individual standard for each type of utility expense. Clause (B) of the subparagraph provides that a State agency must review the SUAs annually and adjust them to reflect changes in costs. State agencies also must provide the amounts of the SUAs to the FNS when the SUAs are changed and submit the methodologies used in

developing and updating the SUAs to the FNS for approval whenever the methodologies are developed or changed.

Social Services Law (SSL) § 17(a)-(b) and (k) provide, in part, that the Commissioner of the Office of Temporary and Disability Assistance (OTDA) shall “exercise such other powers and perform such other duties as may be imposed by law.”

SSL § 20(3)(d) authorizes OTDA to promulgate regulations to carry out its powers and duties.

SSL § 95 authorizes OTDA to administer SNAP in New York State (NYS) and to perform such functions as may be appropriate, permitted or required by or pursuant to federal law.

2. Legislative objectives:

It was the intent of the Legislature to implement the federal SNAP Act in NYS in order to provide SNAP benefits to eligible NYS residents.

3. Needs and benefits:

The regulatory amendments set forth the SUAs within NYS as of October 1, 2023. OTDA is amending its SUAs in 18 NYCRR § 387.12(f)(3)(v)(a)–(b) to reflect a decrease in fuel and utility costs, which is indicated in the Consumer Price Index (CPI) fuel and utilities values (which includes components for water, sewage and trash collection). Specifically, OTDA is amending the standard allowance for heating/cooling for SNAP applicant and recipient households residing in New York City from \$1,002 to \$992; the standard allowance for heating/cooling for such households residing in either Nassau or Suffolk Counties from \$932 to \$923; and for such households residing in any other county of NYS \$827 to \$819. OTDA is also amending the standard allowance for utilities for SNAP applicant and recipient households residing in New York City from \$395 to \$391; the standard allowance for utilities for such households residing in either Nassau or Suffolk Counties from \$366 to \$363; and for such households residing in any other county of NYS from \$335 to \$332. The standard allowance for telephone, as set forth in 18 NYCRR § 387.12(f)(3)(v)(c), will remain \$31 for all counties in the State.

The following chart sets forth the SUA categories; the past SUAs (“Past SUA”) that were in effect for federal fiscal year (FFY) 2023, from October 1, 2022 through September 30, 2023; and the new SUAs (“New SUA”) that are in effect for FFY 2024, effective October 1, 2023:

	New York City		Nassau/Suffolk Counties		Rest of State	
	Past SUA	New SUA	Past SUA	New SUA	Past SUA	New SUA
Heating/Air Conditioning SUA	\$1002	\$992	\$932	\$923	\$827	\$819
Basic Utility SUA	\$395	\$391	\$366	\$363	\$335	\$332
Phone SUA	SUA: \$31 (for all Counties)					

The aforementioned values have been determined in accordance with the current methodology approved by USDA for adjusting New York State’s SUA values.

To determine the Heating/Cooling and Limited Utility SUA values for FFY 2024, the Consumer Price Index (CPI) Fuel and Utility value for All Urban Consumers, Not Seasonally Adjusted, for June 2023 was compared to the same CPI Fuel and Utility value for June 2022. (The June 2022 CPI value was used to determine the adjustment for the current FFY 2023 SUA values). The June 2023 CPI-U Fuel and Utility value is 0.96 percent lower than the June 2022 value. Consequently, the SUA figures provided above are 0.96 percent lower than the current FFY 2023 SUA. Rounded to the nearest whole dollar, the resultant values are reflected in the chart above.

To determine the Telephone SUA value for FFY 2024, the Consumer Price Index (CPI) Telephone Services value for All Urban Consumers, Not Seasonally Adjusted, for June 2023 was compared to the same CPI Telephone Services value for June 2022, the CPI value that was used to determine the current FFY 2023 SUA value. The percentage change between June 2022 and June 2023 was then applied to OTDA’s current SUA figure and rounded; the June 2023 CPI-U Telephone Services value is 0.24 percent higher than the June 2022 value. Rounded to the nearest whole dollar, this means that the Telephone SUA value for FFY 2024 will remain \$31 statewide.

OTDA has all required approvals from the FNS pertaining to these changes and is required to apply the SUAs for FFY 2024 in its SNAP budgeting effective October 1, 2023. As of October 1, 2023, OTDA does not have federal approval or authority to apply past SUAs in its prospective SNAP budgeting.

It is of great importance that the federally-approved SUAs for the SNAP are applied to SNAP benefit calculations effective October 1, 2023, and thereafter until new amounts eventually are approved by the USDA. The

new federally-approved SUA amounts for heating/cooling, utilities and telephone must be implemented by the October 1, 2023 deadline. The use of a SUA that is not authorized by the USDA could result in severe fiscal sanctions by the federal government against the State. These emergency amendments protect the public health and general welfare by setting forth the federally-approved SUAs effective as of October 1, 2023.

As stated above, there is no federal authority to use past SUAs after the October 1, 2023 effective date of the new federally-approved allowance amounts. For New York to continue the State option to use the SUA in lieu of the actual utility cost portion of SNAP household shelter expenses, new allowances must be in place. Otherwise, the State may be forced to use the actual utility cost portion of the shelter expenses of each SNAP household. This policy would result in all 58 social services districts (districts) in NYS having to require up to 1.6 million SNAP households to provide verification of the actual utility cost portions of their shelter expenses. This policy would create a tremendous burden on both districts as well as recipient households. In addition, as actual utility costs are generally significantly less than the SUAs, SNAP households would have a much smaller shelter deduction resulting in a sizeable reduction in their SNAP benefits. This reduction in SNAP benefits for up to 1.6 million SNAP households would result in significant harm to the health and welfare of these households.

4. Costs:

The regulatory amendments will not result in any impact to the State financial plan. They will not impose costs upon the districts because SNAP benefits are 100 percent federally-funded, and they comply with federal state and regulation to implement federally-approved SUAs.

5. Local government mandates:

The regulatory amendments do not impose any mandates upon districts since the amendments simply set forth the federally-approved SUAs, effective October 1, 2023. Additionally, the calculation of SNAP budgets, which incorporates the SUAs, and the resulting issuances of SNAP benefits are mostly automated processes in New York City and the rest of the State using OTDA’s Welfare Management System. To the extent that these processes are not automated, the regulatory amendments do not impose any additional requirements upon the districts in terms of calculating SNAP budgets.

6. Paperwork:

The regulatory amendments do not impose any new forms, new reporting requirements or other paperwork upon the State or the districts.

7. Duplication:

The regulatory amendments do not duplicate, overlap or conflict with any existing State or federal statutes or regulations.

8. Alternatives:

An alternative to the regulatory amendments would be to refrain from implementing the revised SUAs. However, this alternative is not a viable option because if NYS were to opt not to implement the new SUAs or were otherwise judicially precluded from doing so, then NYS would be out of compliance with federal statutory and regulatory requirements.

9. Federal standards:

The regulatory amendments do not conflict with or exceed minimum standards of the Federal Government.

10. Compliance schedule:

To preserve public health and general welfare, OTDA originally promulgated the emergency rule via a Notice of Emergency Adoption and Proposed Rule Making on September 11, 2023, and the emergency rule became effective on October 1, 2023. The current emergency rule expires on December 9, 2023. Since the regulatory amendments are presently in effect, the State and the districts are already in compliance with the regulatory amendments.

**Regulatory Flexibility Analysis**

A Regulatory Flexibility Analysis is not required for the regulatory amendments because the regulatory amendments to 18 NYCRR § 387.12(f)(3)(v)(a)-(c) will neither have an adverse economic impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or social services districts (districts). The regulatory amendments set forth the federally-approved standard utility allowances for the Supplemental Nutrition Assistance Program effective October 1, 2023. As it is evident from the nature of the regulatory amendments that they will not have an adverse impact upon or impose reporting, recordkeeping, or other compliance requirements upon small businesses or districts, no further measures were needed to ascertain those facts and, consequently, none were taken.

**Rural Area Flexibility Analysis**

A Rural Area Flexibility Analysis is not required for the regulatory amendments to 18 NYCRR § 387.12(f)(3)(v)(a)-(c) because the regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon rural social services districts (rural districts) or private entities in rural areas. The

regulatory amendments set forth the federally-approved standard utility allowances for the Supplemental Nutrition Assistance Program effective October 1, 2023. As it is evident that the regulatory amendments will not have an adverse impact upon or impose reporting, recordkeeping, or other compliance requirements upon rural districts or private entities in rural areas, no further measures were needed to ascertain those facts and, consequently, none were taken.

***Job Impact Statement***

A Job Impact Statement is not required for the regulatory amendments. It is apparent from the nature and the purpose of the regulatory amendments that they do not have a substantial adverse impact on jobs and employment opportunities in either the public or the private sectors in New York State (NYS). The regulatory amendments have no effect on small businesses. The regulatory amendments do not affect, in any significant way, the jobs of the workers in the social services districts (districts) or the State. These regulatory amendments set forth the federally-approved standard utility allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) as of October 1, 2023. The calculation of SNAP budgets, which incorporates the SUAs, and the resulting issuances of SNAP benefits are mostly automated processes in New York City and the rest of the State using the Office of Temporary and Disability Assistance's Welfare Management System. To the extent these processes are not automated, the regulatory amendments do not impose any additional requirements upon the districts in terms of calculating SNAP budgets. Thus, the regulatory amendments do not have any adverse impact on jobs and employment opportunities in either the public or private sectors of NYS.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
ENV-46-23-00007-P .....	Subpart 220-1, Portland Cement Plants; Subpart 220-3, Asphalt Pavement Manufacturing Plants	Virtual via Webex—January 17, 2024, 2:00 p.m. Virtual via Webex—January 17, 2024, 6:00 p.m.
ENV-49-23-00007-P .....	1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products	Virtual via Webex—February 6, 2024, 1:00 p.m.  Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the department’s proposed regulations webpage for 6 NYCRR Subpart 352-1 by December 6, 2023. The proposed regulations webpage for 6 NYCRR 352-1 may be accessed at: <a href="https://www.dec.ny.gov/regulations/propregulations.html#public">https://www.dec.ny.gov/ regulations/propregulations.html#public</a> or <a href="https://www.dec.ny.gov/chemical/121658.html">https://www.dec.ny.gov/chemical/121658.html</a>  Persons who wish to receive the instructions by mail or telephone may call the department at (518) 402-8706. Please provide your first and last name, address, and telephone number and reference the 6 NYCRR Supart 352-1 pub- lic comment hearing.  The department will provide interpreter ser- vices for hearing impaired persons, and language interpreter service for individuals with difficulty understanding or reading En- glish, at no charge upon written request submitted no later than January 24, 2024. The written request must be addressed to ALJ Timothy M. MacPherson, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Fl., Albany, NY 12233-1550 or emailed to ALJ Timothy M. MacPherson at <a href="mailto:ohms@dec.ny.gov">ohms@dec.ny.gov</a>
<b>Public Service Commission</b>		
PSC-40-23-00030-P .....	Proposed Major Rate Increase in Electric Delivery Revenues	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY— January 9, 2024, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)*  *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent schedul- ing changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 23-E- 0418.
PSC-40-23-00034-P .....	Proposed Major Rate Increase in Gas Delivery Revenues	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY— January 9, 2024, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)*  *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent schedul- ing changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 23-G-0419.

**ACTION PENDING INDEX**

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

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

For additional information concerning any of the proposals

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

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

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

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

**AGING, OFFICE FOR THE**

AGE-02-23-00020-P	..... 01/11/24	Nutrition Program	The purpose of this rule is to update the regulations governing the Nutrition Program
-------------------	----------------	-------------------	---

**AGRICULTURE AND MARKETS, DEPARTMENT OF**

AAM-29-23-00001-P	..... 07/18/24	Avian influenza control measures.	To remove a duplicative definition and clarify requirements for the movement of live poultry.
AAM-30-23-00007-P	..... 07/25/24	Agriculture water standards for growing, harvesting, packing, and holding of produce for human consumption.	To incorporate by reference 21 CFR Part 112, Subpart E, containing agricultural water standards.
AAM-43-23-00001-P	..... 10/24/24	Incorporation by reference of the 2019 edition of the Grade A Pasteurized Milk Ordinance ("PMO").	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2019 edition of the PMO.
AAM-44-23-00020-P	..... 10/31/24	Control of the Asian Long Horned Beetle (ALB)	To lift approximately 10 square miles of Asian long horned beetle quarantine in Nassau and Suffolk Counties
AAM-49-23-00008-P	..... 12/05/24	Frequency of Inspections and Testing of Devices	To modify and clarify certain device testing requirements

**ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

ASA-24-23-00021-P	..... 06/13/24	Voluntary certification of Recovery Residences in NYS.	This Part establishes requirements for recovery residences certified by the Office of Addiction Services and Supports (OASAS).
ASA-40-23-00035-EP	..... 10/03/24	Credentialing of Addiction Professionals	Add new credentialing pathway for a CASAC-Provisional and modify outdated terminology.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CANNABIS MANAGEMENT, OFFICE OF</b>			
OCM-49-22-00024-ERP	12/07/23	Violations, Hearings and Enforcement	The proposed rule establishes parameters around violations, hearings, and enforcement creating requirements intended to further protect public health, safety, and welfare by preventing unlawful cannabis or unsafe practices from entering the marketplace
OCM-32-23-00031-EP	08/08/24	Cannabinoid Hemp	Update Part 114 with new CBD to THC ratios and limitations on total THC and cannabinoid levels and update packaging and labeling requirements amongst other things
OCM-45-23-00005-P	11/07/24	Amend Medical Cannabis Regulations.	Amend medical cannabis regulations to align with adult-use cannabis regulations and address operational concerns.
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-36-23-00023-P	09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
CFS-39-23-00002-P	09/26/24	Workload Reduction	To update various rules regarding the certification or approval of foster family boarding homes.
CFS-41-23-00003-P	10/10/24	Casework Contacts	To clarify rules regarding casework contacts, and allow, in limited circumstances, the use of videoconferencing
CFS-42-23-00002-EP	10/17/24	Expansion of eligibility for child care assistance program	To implement changes to the child care assistance program set forth in Chapter 56 of the Laws of 2023
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-40-23-00002-P	10/03/24	M/C Sick Leave	To increase the maximum sick leave days that may be accumulated by employees designated M/C from 200 to 225
CVS-40-23-00005-P	10/03/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-23-00006-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-40-23-00007-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00008-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00009-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00010-P	10/03/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-23-00011-P	10/03/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-23-00012-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-40-23-00013-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-40-23-00014-P	10/03/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-40-23-00015-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00016-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00017-P	10/03/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-23-00018-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00019-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00020-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions from the non-competitive class
CVS-40-23-00021-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00022-P	10/03/24	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-40-23-00023-P	10/03/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-23-00024-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-40-23-00025-P	10/03/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-23-00026-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00027-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-44-23-00001-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00002-P	10/31/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-44-23-00003-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00004-P	10/31/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-23-00005-P	10/31/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-44-23-00006-P	10/31/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-44-23-00007-P	10/31/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-44-23-00008-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class

**Action Pending Index****NYS Register/December 6, 2023**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-44-23-00009-P	10/31/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-44-23-00010-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00011-P	10/31/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-23-00012-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00013-P	10/31/24	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes
CVS-44-23-00014-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
<b>CORRECTION, STATE COMMISSION OF</b>			
CMC-40-23-00003-P	10/03/24	Use of body imaging scanning equipment.	To establish regulations for the use of body imaging scanning equipment to screen visitors and incarcerated individuals.
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-37-23-00001-P	09/12/24	Work Release Participation Fees	To repeal the regulation requiring payment of work release participation fees
CCS-38-23-00006-P	09/19/24	Body Imaging Scanning Equipment	To establish regulations for the use of body imaging scanning equipment to screen employees.
CCS-41-23-00001-P	10/10/24	Applicability of Title	Update agency name of DOCCS and remove outdated reference to State Commission of Correction
CCS-42-23-00003-P	10/17/24	Privileged Correspondence	Remove privileged correspondence classification from mail received from the correctional association of New York State.
CCS-42-23-00005-P	10/17/24	Definition; individuals designated as officials of the Department of Corrections and Community Supervision	To add the Director of Prison Rape Elimination Act Compliance and Assistant Director of the Training Academy as officials
CCS-49-23-00009-P	12/05/24	Green Haven Correctional Facility	To remove an obsolete reference to previously repealed section 100.22
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
CJS-16-23-00008-EP	04/18/24	FIREARM LICENSING APPEALS	Set forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or revocation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-40-23-00028-P	10/03/24	NYC Musical and Theatrical Production Tax Credit Program	To update the additional administrative process of this tax credit program and conform to statute
EDV-42-23-00001-P	10/17/24	Empire State Film Production Tax Credit Program	To update the administrative process of this tax credit program
EDV-42-23-00004-P	10/17/24	Empire State Post Production Tax Credit Program	To update the additional administrative process of this tax credit program and conform to statute
<b>EDUCATION DEPARTMENT</b>			
EDU-09-23-00029-ERP	02/29/24	Licensure of licensed behavior analysts and certification of behavior analyst assistants	To implement Chapter 818 of the Laws of 2021 and Chapter 641 of the Laws of 2022 and align provisions with national standards.
EDU-09-23-00031-RP	05/01/24	Special education due process hearings.	To amend due process hearing procedures relating to extensions, mediation and resolution, rules of conduct, and use of in-person, teleconference, and videoconference hearings
EDU-13-23-00018-RP	03/28/24	Mental health practitioners' diagnostic privilege.	To implement sections 2 and 3 of Chapter 230 of the Laws of 2022.
EDU-26-23-00015-P	06/27/24	Registration and operation of central fill pharmacies.	To establish parameters for the central fill pharmacy model.
EDU-35-23-00004-EP	08/29/24	School food service programs and bidding exemptions for purchasing New York State food and milk.	To implement Part OO of Chapter 58 of the Laws of 2023.
EDU-39-23-00010-P	09/26/24	Regents accreditation.	See attached.
EDU-39-23-00011-P	09/26/24	Computer science tenure area.	See attached.
EDU-39-23-00012-P	09/26/24	Fees for certificates of existence and copies of charter actions and consent to incorporation.	See attached.
EDU-39-23-00013-EP	09/26/24	Requirements for restricted licenses for clinical laboratory technologists in molecular testing.	To implement Chapter 186 of the Laws of 2023.
EDU-39-23-00014-EP	09/26/24	Timeline for initial enrollment or reentry identification and parent notification, orientation, and placement of ELLs.	See attached.
EDU-39-23-00015-EP	09/26/24	Rebuilding the Every Student Succeeds Act (ESSA) accountability system using 2022–2023 and 2023–2024 school year results.	See attached.
EDU-39-23-00016-EP	09/26/24	Supplementary certificate and Supplementary Bilingual Education extension requirements.	See attached.
EDU-39-23-00017-P	09/26/24	Appeals to the Commissioner of Education under Education Law § 310.	To ensure that the appeals process serves as an expeditious and simple method to address questions re: school administration.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-39-23-00018-EP	09/26/24	Certification as a school counselor through individual evaluation.	See attached.
EDU-39-23-00019-EP	09/26/24	Contracts for excellence and class size reduction in the City School District of the City of New York.	To implement Chapter 556 of the Laws of 2022, as amended by Chapter 86 of the Laws of 2023.
EDU-44-23-00016-P	10/31/24	Use of the term university.	See attached.
EDU-44-23-00017-EP	10/31/24	Requirements for clinical education and simulation experience in nursing education program.	To implement Chapter 134 of the Laws of 2023.
EDU-44-23-00018-EP	10/31/24	Optometrist's certification to use topical and oral therapeutic drugs for certain ocular diseases.	To implement Chapter 506 of the Laws of 2021.
EDU-44-23-00019-EP	10/31/24	Non-patient specific orders to administer immunizing agents against respiratory syncytial virus (RSV).	To allow the execution by registered professional nurses of non-patient specific orders to administer RSV immunizing agents.
EDU-48-23-00009-P	11/28/24	Registration of curricula and professional study in veterinary medicine.	Meet workforce challenges without sacrificing educational quality; align requirements to programmatic accreditation standards
EDU-48-23-00010-P	11/28/24	Delegation of the Board of Regents authority regarding charter revisions.	To update delegation of authority with respect to the approval of changes to certain charter school revisions.
EDU-48-23-00011-EP	11/28/24	Licensing examinations in the profession of public accountancy.	To enable the Department to implement CPA Evolution changes, remove flexibilities concerning the 18-month retention period.
EDU-48-23-00012-P	11/28/24	CTE and Media Arts Course flexibility for the IAAP and CTE pathways to high school graduation	To provide local discretion on how to distribute credit for media arts courses within a CTE or IAAP sequence
EDU-48-23-00013-P	11/28/24	Charter school financing.	See attached.
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-22-23-00002-P	07/31/24	Recreational shark management	To protect prohibited sharks from harvest and establish gear restrictions and handling requirements
ENV-25-23-00010-P	08/21/24	The repeal of obsolete rules and to make all necessary attendant revisions.	The repeal of obsolete rules and to make all necessary attendant revisions.
ENV-36-23-00020-P	09/05/24	Regulations governing commercial fishing for Jonah crab	To define the Jonah crab directed trap fishery, establish bycatch limits, and maintain consistency with federal rules
ENV-46-23-00007-P	01/16/25	Subpart 220-1, Portland Cement Plants Subpart 220-3, Asphalt Pavement Manufacturing Plants	220-1 will be updated to reflect current Federal requirements. 220-3 will established control requirements for asphalt plants.
ENV-49-23-00007-P	02/05/25	1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products	Implement the maximum allowable concentrations of 1,4-dioxane as set forth in Article 35 and Article 37 of the ECL

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*DFS-17-16-00003-P	..... exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	..... exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-41-23-00002-P	..... 10/10/24	Minimum Standards for the New York State Partnership for Long-Term Care Program	To update the current minimum daily benefit amounts for partnership long term care coverage for the period 1/1/2024-1/1/2033
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-50-22-00009-RP	..... 12/14/23	Purchase location requirements for lottery courier services	To facilitate the proper sale of lottery tickets to generate revenue for education
SGC-29-23-00004-P	..... 07/18/24	Attending veterinarian examinations in Thoroughbred racing.	To decrease the risks of injury to racehorses.
SGC-34-23-00012-P	..... 08/22/24	Lottery prize assignment processing fee	To defray administrative expenses associated with a prizewinner's assignment
<b>GAMING FACILITY LOCATION BOARD, NEW YORK</b>			
GFB-04-23-00001-P	..... 01/25/24	Minimum capital investment for additional gaming facility	To establish a minimum capital investment amount for additional gaming facilities
GFB-04-23-00002-P	..... 01/25/24	License fee for additional gaming facility	To establish a license fee for additional gaming facilities
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	..... exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-39-22-00020-RP	..... 02/05/24	Early Intervention Program	To conform existing program regulations to federal regulations and state statute, as well as to provide additional clarification
*HLT-42-22-00002-RP	..... 01/17/24	Medical Respite Program (MRP)	Establish procedures for review & approval of applications from a not-for-profit corporation to be certified as an MRP operator.
HLT-48-22-00001-P	..... 11/30/23	Adult Day Health Care	To regulate adult day health care programs for registrants with medical needs in a non-residential health care facility
HLT-12-23-00013-P	..... 04/12/24	Newborn Hearing Screening	To improve follow-up after newborn hearing screening and articulate reporting requirements
HLT-14-23-00009-P	..... 04/04/24	Assisted Living Residences	To update admission, operator authority, personnel, environmental standards&resident protections for assisted living residences.
HLT-18-23-00013-P	..... 05/02/24	Update Standards for Adult Homes and Standards for Enriched Housing Programs	To address changes required to achieve & sustain compliance with the federal Home & Community Based Settings final rule.

**Action Pending Index****NYS Register/December 6, 2023**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
HLT-18-23-00014-P	05/02/24	Standards for Tissue Banks and Nontransplant Anatomic Banks	To remove discriminatory requirements pertaining to reproductive tissue and make technical corrections.
HLT-22-23-00011-P	05/30/24	Perinatal Services, Perinatal Regionalization, Birthing Centers and Maternity Birthing Centers	To update the regulatory requirements of birthing hospitals and centers to meet current standards of clinical care
HLT-25-23-00002-P	06/20/24	Humane Euthanasia of Animals	To provide for the humane euthanasia of animals.
HLT-31-23-00008-P	08/01/24	Expanded Syringe Access Programs (ESAPs)	To remove the requirement that ESAPs may only furnish a quantity of 10 or fewer syringes at a time.
HLT-37-23-00002-P	09/12/24	Lead Testing in School Drinking Water	Lower action level for lead in school drinking water from 15 parts per billion (ppb) to 5 ppb & revise reporting requirements
HLT-37-23-00010-P	09/12/24	Communicable Diseases Reporting and Control - Adding Respiratory Syncytial Virus (RSV) and Varicella	To add Respiratory Syncytial Virus (RSV) and Varicella to the list of diseases
HLT-39-23-00026-EP	09/26/24	Trauma Centers - Resources for Optimal Care of the Injured Patient	To update the edition of Resources for Optimal Care of the Injured Patient from 2014 to 2022.
HLT-43-23-00009-P	10/24/24	Nursing Home Rate Appeal Prioritization Guidelines	To amend current appeal submission and processing requirements.
HLT-46-23-00001-P	11/14/24	Long Term Care Ombudsman Program	To clarify language relative to access by the long-term care ombudsmen and adding reference to section 218 of Elder Law
HLT-46-23-00002-P	11/14/24	Updated Quality Improvement Committee Requirements	To update quality improvement committee requirements of adult homes and residences for adults
HLT-46-23-00012-P	11/14/24	Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements	To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE.
HLT-47-23-00004-P	11/21/24	Adult Day Health Care	To regulate adult day health care programs for registrants with medical needs in a non-residential health care facility
HLT-49-23-00001-P	12/05/24	Hospital Cybersecurity Requirements	To create cybersecurity program requirements at all Article 28 regulated facilities.
HLT-49-23-00010-P	12/05/24	Educational Requirements for Certified Emergency Medical Services Providers	To improve the overall educational & certification experience that will ease barriers to recruitment of individuals
<b>HOMELAND SECURITY AND EMERGENCY SERVICES, DIVISION OF</b>			
HES-48-23-00001-P	11/28/24	Training stipends for volunteer firefighters	To promulgate rules and regulations necessary to implement state and locally funded training stipends for volunteer firefighters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>INFORMATION TECHNOLOGY SERVICES, OFFICE OF</b>			
ITS-37-23-00004-P	09/12/24	Updated citations to New York State electronic notary regulations	To reflect the new electronic notary law and regulations issued by the Department of State in 19 NYCRR 182
ITS-37-23-00005-P	09/12/24	Access to the Records of the Office of Information Technology Services	To modernize the process for access to the records of the Office of Information Technology Services
<b>LABOR, DEPARTMENT OF</b>			
LAB-37-23-00003-P	09/12/24	Pay Transparency in Job Advertisements	To increase pay transparency in job advertisements pursuant to Labor Law § 194-b
LAB-39-23-00001-P	09/26/24	Public employee occupational safety and health standard correction.	To amend the permissible exposure limit for nitrogen dioxide, which will reduce the risks to the safety and health of workers.
LAB-40-23-00036-P	10/03/24	Minimum Wage Increases for 2024-2026	To implement minimum wage increases set by Labor Law Section 652 as amended in 2023
<b>LAW, DEPARTMENT OF</b>			
LAW-12-23-00006-P	03/21/24	Presumptive cases of gross disparity under the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00007-P	03/21/24	Presumptive unfair leverage for large enterprises or enterprises with large market share under the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00008-P	03/21/24	Presumptive cases of gross disparity for purposes of the price gouging statute.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00009-P	03/21/24	Application of price gouging prohibition to parties within the chain of distribution.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00010-P	03/21/24	Application of the price gouging law to dynamic pricing.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00011-P	03/21/24	Presumptive cases of unfair leverage for purposes of the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00012-P	03/21/24	Costs not within the control of the defendant for purposes of the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-03-10-00004-P	..... exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00020-P	..... exempt	Annual Budget and Retail Rates	To implement rate adjustments as determined through LIPA's annual budget process.
LPA-39-23-00021-P	..... exempt	Long Island Choice Program.	To update LIPA's Long Island Choice Program.
LPA-39-23-00022-P	..... exempt	Clean Energy Standard Program	To clarify how costs associated with LIPA's participation in the Clean Energy Standard program will be recovered.
LPA-39-23-00023-P	..... exempt	Dynamic Load Management Program.	To increase participation in the Dynamic Load Management program.
LPA-39-23-00024-P	..... exempt	To expand the eligibility requirements for LIPA's low-income program.	To provide discounts that lower the energy burden on LIPA's low-income customers.
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff fo	To update the small generator interconnection procedures consistent with Public Service Commission guidance



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
<b>MENTAL HEALTH, OFFICE OF</b>			
*OMH-46-22-00012-P	..... 11/16/23	Administrative Compensation	To Repeal Part 513 as Executive Order 38 has sunset
OMH-35-23-00001-P	..... 08/29/24	COVID-19 Vaccination Program.	To Repeal Part 557.
OMH-35-23-00002-P	..... 08/29/24	Clinical review criteria.	Adopt standards and processes to obtain and approve clinical review criteria.
OMH-36-23-00030-P	..... 09/05/24	Use of Telehealth in Crisis Stabilization Centers	To establish regulations regarding the use of Telehealth in Crisis Stabilization Centers
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
MTV-36-23-00031-P	..... 09/05/24	Point System & Licensing or Relicensing After Revocation Action	To assign a point value for alcohol related convictions & increase point values and negative units for certain violations
<b>NIAGARA FALLS WATER BOARD</b>			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NFW-52-22-00004-EP	..... exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders.
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
PDD-10-23-00002-EP	..... 03/07/24	General Purposes and Certification of the Facility Class Known as Individualized Residential Alternatives	To increase IRA capacity in cases of emergent circumstances
PDD-28-23-00026-P	..... 07/11/24	Supported Employment	To update requirements of supported employment

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-41-23-00008-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards	To consider revisions to the Commission's Electric Safety Standards
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-40-14-00015-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*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-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings	To reduce damage to underground utility facilities by requiring certain training and approving training curricula
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals
*PSC-04-19-00011-P	..... exempt	Update of revenue targets	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements	To insure the provision of safe and adequate energy service at just and reasonable rates
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations	To consider the terms and conditions applicable to gas service
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators
*PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by Central Hudson
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To provide cost recovery for new DLM programs and prevent double compensation to participating customers
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water’s service	To determine if approving the DPS Staff’s recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation’s Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its “Energy Savings Program” to mass market customers
*PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources
*PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers
*PSC-04-21-00016-P	..... exempt	Request for a waiver	To consider whether good cause exists to support a waiver of the Commission’s Test Period Policy Statement
*PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-39-21-00007-P	..... exempt	The proposed alternative method of account identification	To facilitate secure customer data exchanges between the utility or provider and energy service entities
*PSC-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-48-21-00007-P	..... exempt	Verizon's Performance Assurance Plan	To consider whether to retire the Performance Assurance Plan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-05-22-00001-P	..... exempt	Green gas products	To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products
*PSC-13-22-00011-P	..... exempt	Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020	To consider a rehearing petition
*PSC-14-22-00008-P	..... exempt	An opt-out community distributed generation program	To establish the program rules for offering community distributed generation on and opt-out basis in New York State
*PSC-18-22-00002-P	..... exempt	NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance	To determine if NYSEG and RG&E's petition for waiver is in the public interest
*PSC-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
*PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
*PSC-20-22-00011-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation
*PSC-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
*PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
*PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
*PSC-22-22-00014-P	..... exempt	Amendments to the Standardized Interconnection Requirements	To consider changes to accommodate the interconnection of distributed energy resources by governmental entities
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-26-22-00008-P	..... exempt	Compensation under the Value of Distributed Energy Resources tariff	To consider compensation mechanisms for legacy baseline hydroelectric and other renewable energy resources
*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-32-22-00022-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility.	To ensure appropriate regulation of a new electric corporation.
*PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York.	To consider compensation for bioenergy generation.
*PSC-33-22-00006-P	..... exempt	Use of gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
*PSC-33-22-00008-P	..... exempt	Gas moratorium consumer protections.	To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service.
*PSC-33-22-00009-P	..... exempt	Use of electric metering equipment.	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage.
*PSC-34-22-00005-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need.	Consideration of whether the proposed transfer is in the public interest.
*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-38-22-00008-P	..... exempt	Consideration of a Long Island Offshore Wind Export PPTN under the NYISO's planning process.	To determine whether the NYISO should proceed to select a solution to the identified Long Island Offshore Wind Export PPTN.
*PSC-42-22-00010-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00011-P	..... exempt	Gas system planning.	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives.
*PSC-42-22-00012-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00013-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00014-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00015-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00016-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00017-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-22-00019-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-44-22-00003-P	..... exempt	Proposed draft tariff amendments.	To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs.
*PSC-46-22-00006-P	..... exempt	PSC Regulations 16 NYCRR 86.3(a)(1), 86.3(a)(2), 86.3(b)(2), 86.4(b).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
*PSC-46-22-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-22-00003-P	..... exempt	Gas moratorium customer protections.	To consider protections to minimize customer hardships in the unlikely event of a future gas moratorium.
PSC-01-23-00014-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by NYSEG.
PSC-01-23-00017-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by NYSEG.
PSC-02-23-00023-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-03-23-00004-P	..... exempt	Updated recommendations for the solicitation, procurement, and/or installation of qualified energy storage systems.	To encourage energy storage deployment and establish an updated 2030 target and deployment program.
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-04-23-00009-P	..... exempt	Gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
PSC-05-23-00001-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00002-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00009-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00012-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-05-23-00014-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00015-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-09-23-00022-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-09-23-00023-P	..... exempt	Electric metering equipment.	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage.
PSC-13-23-00022-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility.	Consideration of a lightened regulatory regime for the owner of an approximately 150 MW energy storage facility.
PSC-15-23-00002-P	..... exempt	Community Choice Aggregation	To determine if Mid-Hudson Energy Transition Inc. should operate as a Community Choice Aggregation Administrator.
PSC-16-23-00010-P	..... exempt	Marginal Cost of Service studies.	To identify appropriate inputs and methodologies for preparing Marginal Cost of Service studies.
PSC-17-23-00002-P	..... exempt	Tariff filing.	To consider whether the proposed tariff revisions are in the public interest.
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-19-23-00015-P	..... exempt	Electric metering equipment.	To consider use of metering equipment and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-19-23-00017-P	..... exempt	Minor water rate filing to increase annual revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-19-23-00022-P	..... exempt	Disposition of a New York State sales and use tax refund.	To determine the just and reasonable disposition of tax refunds.
PSC-20-23-00002-P	..... exempt	The CBC charge used to recover the costs for certain energy efficiency and other public policy benefit programs.	To ensure the CBC is consistently applied statewide and to provide Distributed Energy Resource projects with market certainty.
PSC-21-23-00005-P	..... exempt	Proposed major increase in VWNYS's annual base rate revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-21-23-00006-P	..... exempt	Community Choice Aggregation.	To determine if ProjectEconomics d/b/a PowerMarket shall operate as a Community Choice Aggregation Administrator.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-23-23-00003-P	..... exempt	Implementation of a new CSS above the current \$421 million cap.	To provide Con Edison with authority to continue to capitalize costs to implement a new CSS.
PSC-24-23-00023-P	..... exempt	Deferral of costs for later collection from ratepayers.	To determine whether it is reasonable to authorize the deferral of costs associated with a gas demand response pilot program.
PSC-24-23-00024-P	..... exempt	Audit Implementation Plan and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addresses and implemented.
PSC-25-23-00003-P	..... exempt	Community Choice Aggregation.	To determine the appropriate requirements to be placed on Community Choice Aggregation solicitations and service agreements.
PSC-25-23-00005-P	..... exempt	Community Choice Aggregation.	To evaluate whether the Expanded Solar for All program could be scaled Statewide.
PSC-25-23-00006-P	..... exempt	Community Choice Aggregation.	To determine the appropriate requirements to be placed on Community Choice Aggregation outreach and education plans.
PSC-25-23-00007-P	..... exempt	Termination of the PPI Program and deployment of the EVLMTI Program in the Joint Utilities' service territories.	To consider the transition from the PPI to the EVLMTI program including design characteristics and program operations.
PSC-25-23-00008-P	..... exempt	Long-term gas system planning for Con Edison and O&R.	To consider and review long-term gas system planning for Con Edison and O&R.
PSC-25-23-00009-P	..... exempt	Community Choice Aggregation.	To determine if Local Power LLC shall operate as a Community Choice Aggregation Administrator.
PSC-26-23-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.
PSC-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement.	To consider whether amending the SIC mechanism is in the public interest.
PSC-27-23-00006-P	..... exempt	A proposed methodology for annual greenhouse gas emissions inventory reporting.	To consider whether the proposed Green House Gas Inventory Report will provide sufficient emissions information.
PSC-27-23-00009-P	..... exempt	Reinstate funding mechanism.	To determine if reinstating the proposed funding mechanism is in the public interest.
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-27-23-00014-P	..... exempt	Lightened regulatory regime and financing petition.	Consideration of a lightened regulatory regime and financing for the owner of a wind energy and transmission facility.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-28-23-00024-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-28-23-00025-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
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-31-23-00002-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-32-23-00032-P	..... exempt	Lightened regulatory regime and financing for the owner and operator of a wind-powered generating facility	To determine the regulatory framework and applicable financing for a wholesale electric generator
PSC-33-23-00002-P	..... exempt	Research and Development Plan for Advanced Transmission and Distribution Technologies	To accelerate deployment of advanced transmission and distribution technologies that further the State's clean energy goals.
PSC-33-23-00003-P	..... exempt	Research and development plan for deploying advanced technologies in electric transmission and distribution systems	To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.
PSC-33-23-00006-P	..... exempt	Purchase of renewable energy from new distributed generators and/or energy storage systems 30 kilowatts or less.	To establish provisions to ensure safe and reliable service for all customers.
PSC-33-23-00007-P	..... exempt	The Integrated Energy Data Resource platform.	To consider funding for Phase 2 of the Integrated Energy Data Resource.
PSC-34-23-00004-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-23-00005-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-34-23-00006-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-23-00007-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
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	..... 08/29/24	EV Commercial Managed Charging Program Implementation Plan.	To consider the deployment of an EV CMCP Implementation Plan in the Central Hudson service territory.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-35-23-00008-P	08/29/24	Lightened regulation.	To determine whether a lightened regulatory regime for Empire is consistent with prior Commission orders and the PSL.
PSC-35-23-00009-P	08/29/24	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-23-00010-P	08/29/24	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-35-23-00011-P	08/29/24	EV Commercial Managed Charging Program Implementation Plan.	To consider the deployment of an EV CMCP Implementation Plan in the National Grid service territory.
PSC-35-23-00012-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the O&R service territory.
PSC-35-23-00013-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the National Grid service territory.
PSC-35-23-00014-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the Central Hudson service territory.
PSC-35-23-00015-P	08/29/24	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-35-23-00016-P	exempt	The Commission's statewide low-income affordability policy	To disburse the funds appropriated in the 2023-2024 New York State budget
PSC-35-23-00017-P	exempt	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the Con Edison service territory
PSC-35-23-00018-P	exempt	Clean Energy Standard administration	To authorize the funding necessary for continued implementation of the Clean Energy Standard
PSC-35-23-00019-P	exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-35-23-00020-P	exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
PSC-35-23-00021-P	exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-35-23-00022-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the NYSEG and RG&E service territories.
PSC-35-23-00023-P	08/29/24	Lightened regulation.	To determine whether a lightened regulatory regime for HSEC is consistent with prior Commission orders and the PSL.
PSC-36-23-00024-P	exempt	Transfer in ownership of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-36-23-00025-P	..... exempt	Transfer in ownership of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-36-23-00026-P	..... exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
PSC-36-23-00027-P	..... exempt	Agreement for the provision of water service and waivers of tariff provisions and Commission rules.	To consider whether the terms of a service agreement and requested waivers are in the public interest.
PSC-36-23-00028-P	..... exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
PSC-36-23-00029-P	..... exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
PSC-37-23-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-37-23-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-37-23-00008-P	..... exempt	Subscriber notices of cable television programming.	To provide cable subscribers with notice of programming changes.
PSC-37-23-00009-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-38-23-00001-P	..... exempt	Reliable Clean City - Idlewild Project.	To consider the Reliable Clean City - Idlewild Project and to determine recovery of its costs.
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-38-23-00003-P	..... exempt	Minor rate filing to increase annual water revenues and replenishable escrow account.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-38-23-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-38-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-23-00004-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-39-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-23-00006-P	..... exempt	Exemption from the Commission's rate setting authority and conversion to an electronic format.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-39-23-00007-P	..... exempt	Electric metering equipment.	To ensure that consumer bills will be based on accurate measurements of electric usage.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-39-23-00008-P	..... exempt	Auto- and Term- DLM program procurement modification.	To allow for flexibility in procurement methodologies to increase engagement in program.
PSC-39-23-00009-P	..... exempt	Transfer of certain electric transmission facilities.	To determine whether the transfer of the electric transmission facilities is in the public interest.
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-40-23-00030-P	..... exempt	Proposed major rate increase in electric delivery revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-23-00031-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-40-23-00032-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-40-23-00033-P	..... exempt	A debt financing arrangement with respect to natural gas pipelines and related facilities providing wholesale services.	To consider the requested financing arrangement and what regulatory conditions should apply.
PSC-40-23-00034-P	..... exempt	Proposed major rate increase in gas delivery revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-41-23-00004-P	..... exempt	Proposal to amend customer installation and equipment tariff provisions.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-41-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-23-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-23-00007-P	..... exempt	Gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-42-23-00006-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-23-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-42-23-00008-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 consumer and energy efficiency protections are in place.
PSC-42-23-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-42-23-00010-P	..... exempt	Request to charge customers for infrastructure maintenance and access costs.	To ensure adding infrastructure maintenance charges to the bills of customers within the Village of Owego is reasonable.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-42-23-00011-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need for a natural gas pipeline	To determine whether the request for the transfer is consistent with the law and in the public interest.
PSC-42-23-00012-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-42-23-00013-P	..... exempt	Proposed sale and transfer of a water system and its assets.	To consider whether the terms of the sale are in public interest.
PSC-42-23-00014-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-23-00002-P	..... exempt	The prohibition on service to low-income customers by energy service companies.	To consider extending New Wave Energy LLC's waiver of the prohibition
PSC-43-23-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-23-00004-P	..... exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-23-00005-P	..... exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-23-00006-P	..... exempt	Agreement for the provision of water service and waivers of tariff provisions and Commission rules.	To consider whether the terms of a service agreement and requested waivers are in the public interest.
PSC-43-23-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-23-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-23-00015-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-23-00001-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-23-00002-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-45-23-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-23-00004-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-46-23-00003-P	..... exempt	Community Distributed Generation.	To consider implementation of multiple community distributed generation savings rates.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-46-23-00004-P	..... exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.
PSC-46-23-00005-P	..... exempt	Petition for rehearing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-46-23-00006-P	..... exempt	Three new Phase 1 projects.	To meet the goals of the Climate Leadership and Community Protection Act.
PSC-46-23-00008-P	..... exempt	Tariff proposal.	To update changes in the renewable energy obligations and delivery requirements.
PSC-46-23-00009-P	..... exempt	Pole attachment charges and waiver of newspaper publication.	To revise Con Edison's tariffed charges for pole attachments and to waive newspaper publication of the new rates.
PSC-47-23-00001-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-47-23-00002-P	..... exempt	Electric metering equipment.	To consider use of an electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-47-23-00003-P	..... exempt	The prohibition on service to low-income customers by energy service companies (ESCOs).	To consider extending the waiver of the prohibition.
PSC-48-23-00004-P	..... exempt	The applicable regulatory regime and financing authorization for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime and financing authorization for the project is consistent with the PSL.
PSC-48-23-00005-P	..... exempt	Community Distributed Generation	To consider expanding the Net Crediting program to volumetric community distributed generation projects.
PSC-48-23-00006-P	..... exempt	The Utility Energy Registry.	To consider the transition of community scale energy usage data to the Integrated Energy Data Resource.
PSC-48-23-00007-P	..... exempt	Petition to amend bill estimation procedures for AMI.	To have more accurate billing & reduce adjustments
PSC-48-23-00008-P	..... exempt	The applicable regulatory regime under the PSL for the owner and operator of a battery energy storage facility.	To determine whether a lightened regulatory regime is consistent with prior Commission orders and the PSL.
PSC-49-23-00002-P	..... exempt	The electric and gas RDM targets for rate years 2 and 3.	To address claimed errors regarding the electric and gas RDM targets.
PSC-49-23-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-49-23-00004-P	..... exempt	Petition for authorization to utilize CWIP in rate base for Phase 2 Projects.	To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-49-23-00005-P	..... exempt	Purchase of renewable energy from new distributed generators and/or energy storage systems 30 kilowatts or less.	To establish provisions to ensure safe and reliable service for all customers.
PSC-49-23-00006-P	..... exempt	AMI meter reading charges.	To assess a meter reading charge for non-residential customers preventing an AMI Meter installation.
<b>STATE, DEPARTMENT OF</b>			
DOS-34-23-00003-P	..... 08/22/24	Telemarketing	To consolidate and amend regulations relating to telemarketing
DOS-34-23-00010-P	..... 08/22/24	Rules for natural organic reduction operations, facilities, and certification of operators.	To provide rules for natural organic reduction operations, facilities, and certification of operators.
DOS-35-23-00003-P	..... 08/29/24	Appearance Enhancement Licensure and Dyeing of Eyebrow and Eyelash Hair.	To amend the rule to allow dyeing of eyebrow and eyelash hair in accordance with federal regulations.
<b>STATE UNIVERSITY OF NEW YORK</b>			
SUN-35-23-00006-EP	..... 08/29/24	State University of New York Tuition and Fee Schedule	To amend the Tuition and Fees Schedule effective for the Fall 2023 semester.
SUN-40-23-00004-EP	..... 10/03/24	Appointment of Employees and Leave of Absence for Employees in the Professional Service.	Revise to comport with provisions of the collective bargaining agreement between the State and United University Professions.
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-32-23-00030-P	..... 08/08/24	Corporate tax reform.	To implement the comprehensive corporate tax reform effected by L.2014, c.59, pt.A; L.2015, c.59, pt. T; L.2016, c.60, pt.P.
TAF-48-23-00002-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, 2024 through March 31, 2024.
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-21-23-00003-P	..... 05/23/24	See attached addendum	To update State regulations relative to such interviews, screenings and assessments consistent with applicable State law.
TDA-39-23-00003-EP	..... 09/26/24	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/01/2023.
<b>TRANSPORTATION, DEPARTMENT OF</b>			
TRN-34-23-00002-P	..... 08/22/24	Regulation of motor carriers in New York State.	To update Title 49 CFR provisions incorporated by reference pursuant to regulation of commercial motor carriers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TRANSPORTATION, DEPARTMENT OF</b>			
TRN-40-23-00001-P	..... 10/03/24	Towing contracts on special parkways	To repeal regulations requiring competitively bid roadside assistance contracts on the State's special parkways
<b>VICTIM SERVICES, OFFICE OF</b>			
OVS-49-22-00003-P	..... 12/07/23	Limits on administrative expenses and executive compensation pursuant to Executive Order (EO) 38.	As EO 38 has been discontinued, the purpose of this rule is to repeal regulations implementing EO 38.



# SECURITIES OFFERINGS

---

## STATE NOTICES

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

## DEALERS; BROKERS

---

CREI Multifamily 5701 Owner, LP  
13410 Ferrill Creek Rd., Bryan, TX 77808  
*State or country in which incorporated* — Texas

LaylaTex Holdings Inc.  
3018 Sunridge Dr., Bldg. 9, Austin, TX 78741  
*State or country in which incorporated* — Delaware

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



# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### REPLACE ROOF

Fishkill Correctional Facility  
Beacon, Dutchess County

Sealed bids for Project No. M3141-C, comprising of a contract for Construction Work, Replace Roof, Building 9, Fishkill Correctional Facility, 18 Strack Drive, Beacon (Dutchess County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, December 13, 2023, 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 \$48,300 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 Jessica Cook, 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 \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. 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 497 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 November 30, 2023, OGS Trailer, 275 Matteawan Road, Beacon, 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 Justin Otto, (917) 773-2774 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, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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

By OGS - Design & Construction Group

**IMPROVE  
EXTERIOR ENVELOPE  
Manhattan Psychiatric Center  
New York, New York County**

Sealed bids for Project No. 47036-C, for Construction Work, Exterior Envelope Improvements, Building 106, Manhattan Psychiatric Center, 102 Rivers Edge Road, New York (New York County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, December 20, 2023, 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 \$224,800 for C).

Further, Project Labor Agreement (PLA) Projects require a completed form BDC 59P (Project Labor Agreement List of Subcontractors) be filled out and submitted in accordance with Document 002221, Supplemental Instructions to Bidders – PLA. Failure to submit this form correctly will result in a disqualification of the bid.

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 \$8,000,000 and \$9,000,000 for C.

Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862.

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 \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. 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 678 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 December 7, 2023, at OGS/TDX Field Office, Manhattan Psychiatric Center, 102 Rivers Edge Road, Wards Island, 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 Irene Gomez, (212) 655-8484 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 Veterans’ 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 Bidding and Contract Documents for this Project are available for viewing, downloading, and Electronic Bidding from OGS Design & Construction’s Electronic Bidding service, Bid Express.

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

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

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

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

**PROVIDE  
CONGREGATE RECREATION PENS  
Orleans Correctional Facility  
Albion, Orleans County**

Sealed bids for Project Nos. 47267-C and 47267-E, comprising separate contracts for Construction Work, and Electrical Work, Provide Congregate Recreation Pens, S - Block, Building 34, Orleans Correctional Facility, 3531 Gaines Basin Road, Albion (Orleans County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, December 13, 2023, 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 \$163,800 for C, and \$66,100 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$6,000,000 and \$7,000,000 for C, and between \$1,000,000 and \$2,000,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is



restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, 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 \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. 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 464 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 November 30, 2023, at OGS Albion Field Office, 3571 State School Road, Albion, 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 Allyson Youdsavage (585) 589-4854 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, and 3% for the E trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

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



# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

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

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

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

## PUBLIC NOTICE

Department of State  
Notice of Review of Request for  
Brownfield Opportunity Area  
Conformance Determination  
Project: Moyer Carriage Lofts

Location: Hiawatha-Lodi Brownfield Opportunity Area

In accordance with General Municipal Law, Article 18 - C, Section 970-r, the Secretary of State designated the Hiawatha-Lodi Brownfield Opportunity Area on September 30, 2015. The designation of the Hiawatha-Lodi Brownfield Opportunity Area was supported by a Nomination or a comprehensive planning tool that identifies strategies to revitalize the area which is affected by one or more known or suspected brownfield sites.

Pursuant to New York State Tax Law, Article 1, Section 21, the eligible taxpayer(s) of a project site located in a designated Brownfield Opportunity Area may apply for an increase in the allowable tangible property tax credit component of the brownfield redevelopment tax credit if the Secretary of State determines that the project conforms to the goals and priorities established in the Nomination for a designated Brownfield Opportunity Area.

On November 14, 2023, Moyer Carriage Lofts, LLC submitted a request for the Secretary of State to determine whether the Moyer Carriage Lofts project, which will be located within the designated Hiawatha-Lodi Brownfield Opportunity Area, conforms to the goals and priorities identified in the Nomination that was prepared for the designated Hiawatha-Lodi Brownfield Opportunity Area.

The public is permitted and encouraged to review and provide comments on the request for conformance. For this purpose, the full application for a conformance determination is available online at: <https://dos.ny.gov/boa-conformance-application-moyer-carriage-lofts>

*Comments must be submitted no later than January 5, 2024, either by mail to:* Holly Granat, Department of State, Office of Planning and Development, 333 E. Washington St., Suite 514, Syracuse, NY 13202, or by email to: [holly.granat@dos.ny.gov](mailto:holly.granat@dos.ny.gov)

## PUBLIC NOTICE

Department of State  
F-2023-0566

Date of Issuance – December 6, 2023

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-2023-0566, DS Fordham Landing 1 LLC is proposing to develop a 3.7-acre site by installing residential and community facilities upland, a Waterfront Public Access Area, public access areas and public access driveways, shoreline stabilization including 230 LF steel bulkhead and 588 LF riprap revetment reconstruction including approx. 524 CY of stone on geotextile seaward of SHW, and stormwater management including (2) proposed outfalls. This proposal is located at 320 West Fordham Road, New York City, Bronx County, Harlem River.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/12/f-2023-0566a.pdf> and <https://dos.ny.gov/system/files/documents/2023/12/f-2023-0566b.pdf> or at <https://dos.ny.gov/public-notices>

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

- New York City Local Waterfront Revitalization Program:

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

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or January 6, 2024.

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

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

## PUBLIC NOTICE

Department of State  
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, 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.

2023-0545 "Silos at Elk Street" located at 50 Elk Street, City of Buffalo (County of Erie) NY, for a variance concerning sprinkler system and allowable number of stories requirements. (Board Variance)

## 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.

2023-0589 in the Matter of Patmar United LLC, Patrick Cain, 367 Windsor Highway, New Windsor, NY 12553, for a variance concerning safety requirements, including stair headroom. Involved is a one family dwelling located at 373 S. Plank Road, Town of Newburgh, NY 12550, County of Orange, State of New York.

2023-0591 in the Matter of Vincenza Larizza, Six Pineview Road, Mount Kisco, NY 10549, for a variance concerning safety requirements, including stair width. Involved is a four family dwelling located at 57 N. Moger Avenue, Village of Mount Kisco, NY 10549, County of Westchester, State of New York.

2023-0592 in the Matter of McNiff Real Estate Ltd., Brian Burke, 43 Shamrock Circle, Poughkeepsie, NY 12603, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 12 Dublin Lane, Town of Poughkeepsie, NY 12603, County of Dutchess, State of New York.

2023-0593 in the Matter of Ronrose Associates Inc., Anthony Crecco, 871 Commerce Street, Thornwood, NY 10594, for a variance concerning safety requirements, including fire sprinkler system. Involved is a two- and one-half story building located at 871 Franklin Avenue, Town of Mount Pleasant, NY 10594, County of Westchester, State of New York.

2023-0594 in the Matter of Cornerstone Consulting Engineering & Architectural LLP, John Barry Anderson, 1176 N. Irving Street, Allentown, PA 18109, for a variance concerning safety requirements, including fuel dispenser. Involved is a gas station located at 345 US 202, Town of Haverstraw, NY 10970, County of Rockland, State of New York.

2023-0595 in the Matter of Resreal Designs, John Scavelli, PE, 2875 Route 35, Katonah, NY 10536, for a variance concerning safety requirements, including pool barrier. Involved is a one family dwelling located at 49 Sarles Street, Town of North Castle, NY 10504, County of Westchester, State of New York.

2023-0596 in the Matter of Tyler Architecture & Planning, PLLC, Jaclyn A. Tyler, PO Box 442, Purchase, NY 10577, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 41 Winding Wood Road N., Village of Rye Brook, NY 10573, County of Westchester, State of New York.

## PUBLIC NOTICE

### Department of State Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual

notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2023-0597 In the matter of Jenna Kendall of Cascadilla School, 116 Summit Street, Ithaca, NY, for a variance concerning handrail and guardrail requirements located at 201 Oak Avenue, City of Ithaca, County of Tompkins, State of New York.

# EXECUTIVE ORDERS

---

## **Executive Order No. 3.26: Continuing the Declaration of Disaster Emergency**

WHEREAS, pursuant to Executive Order 211, issued July 6, 2021, a statewide disaster was declared across the State due to gun violence;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 211, as continued in Executive Order 3.25, and continue the terms, conditions, and suspensions contained in Executive Order 211 and its successors, until December 8, 2023.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this ninth day of November in the year two thousand twenty-three.

*BY THE GOVERNOR*

*/S/ Kathy Hochul*

*/s/ Karen Persichilli Keogh*

*Secretary to the Governor*



# COURT NOTICES

---

## AMENDMENT OF RULE

### Rules of the Chief Administrator

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend section 118.3(b) of the Rules of the Chief Administrator, effective December 1, 2023, to read as follows (additions underlined, deletions in strikethrough).

#### Section 118.3 Filing requirement

\* \* \* \* \*

(b) The initial registration statement [shall be filed by ordinary mail addressed to:]

[State of New York  
Office of Court Administration  
General Post Office  
P.O. Box 29327  
New York, NY 10087-9327]

*and* [S]ubsequent registration statements shall be filed by an online program established for that purpose.

## AMENDMENT OF RULE

### Rules of the Chief Administrator

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, Part 150 of the Rules of the Chief Administrator is hereby repealed in its entirety, effective immediately.

