
NEW YORK STATE

REGISTER

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- Registration and Financial Responsibility Requirements for Mortgage Loan Servicers
- New York State Uniform Fire Prevention and Building Code (the Uniform Code)
- Limitations on Public Safety Overtime

**Notice of Availability of State and Federal Funds
Executive Orders**

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 September 15, 2019
- the 45-day period expires on August 31, 2019
- the 30-day period expires on August 16, 2019

**ANDREW M. CUOMO
GOVERNOR**

**ROSSANA ROSADO
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

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) 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
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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)

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RULE MAKING ACTIVITIES

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

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

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

Department of Audit and Control

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Limitations on Public Safety Overtime

I.D. No. AAC-29-19-00021-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 315.5(h) of Title 2 NYCRR.

Statutory authority: Retirement and Social Security Law, sections 11, 34, 41, 311 and 334

Subject: Limitations on Public Safety Overtime.

Purpose: To clarify that public safety overtime is subject to the limitations contained in the Retirement and Social Security Law.

Text of proposed rule: (h) Limitations. Notwithstanding any other provision of this section, the creditability of public safety overtime is subject to the limitations provided for in [sections 443, 512, 608 and 1209 of] the Retirement and Social Security Law.

Text of proposed rule and any required statements and analyses may be obtained from: Jamie Elacqua, Office of the State Comptroller, 110 State Street, Albany, NY 12236, (518) 473-4146, email: jelacqua@osc.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 is a consensus rulemaking proposed for the purpose of making a technical amendment to clarify that the regulations relating to the credit-

ability of Public Safety Overtime are subject to the provisions of the Retirement and Social Security Law. It has been determined that no person is likely to object to the adoption of the rule as written.

Department of Civil Service

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-29-19-00001-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for Classified Service, listing positions in the non-competitive class, in the Department of Agriculture and Markets, by deleting therefrom the positions of Apiary Inspector 1, Apiary Inspector 2, Apiary Inspector 3, Apiary Inspector 4, Building Services Assistant 2 (1), Kosher Food Inspector 1 and Kosher Food Inspector 2 and by adding thereto the position of Apiary Inspector.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification**I.D. No.** CVS-29-19-00002-P

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

Proposed Action: Amendment of Appendixes 1 and 2 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Environmental Conservation, by increasing the number of positions of Legislative Assistant from 1 to 2; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Environmental Conservation, by deleting therefrom the positions of Affirmative Action Administrator 2 (1), øCoordinator of Special Publications (1), øDirector of Metropolitan Regional Enforcement and Legal Affairs (2) and Video Production Specialist (1) and by adding thereto the position of Public Information Assistant (Digital Content) (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification**I.D. No.** CVS-29-19-00003-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Justice Center for the Protection of People with Special Needs," by adding thereto the position of Equal Opportunity Specialist 2 (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification**I.D. No.** CVS-29-19-00004-P

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

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

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

Subject: Jurisdictional Classification.

Purpose: To delete positions from the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the New York State Thruway Authority, by deleting therefrom the positions of Affirmative Action Administrator 1 (1), øAffirmative Action Administrator 1 (1), øAffirmative Action Administrator 2 (1), øDirector of Thruway Employee Safety and Health (1), øDirector of Thruway Policy Development (1), Minority Business Specialist 1 (3), Movable Barrier Operator (11) and Supervisor of Computerized Toll Equipment Research and Development (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

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

previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00005-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Civil Service, by adding thereto the positions of Affirmative Action Administrator 1 (3) and Affirmative Action Administrator 4 (2).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00006-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Family Assistance under the subheading "Office of Temporary and Disability Assistance," by adding thereto the positions of Equal Opportunity Specialist 2 (1) and Equal Opportunity Specialist 3 (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00007-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office of Alcoholism and Substance Abuse Services," by adding thereto the positions of Regional Coordinator OASAS (2) and by increasing the number of positions of Regional Director OASAS from 1 to 2.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00008-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of Parks, Recreation and Historic Preservation," by decreasing the number of positions of øPark Director 1 from 2 to 1 and by increasing the number of positions of øPark Director 2 from 1 to 2, øPark Director 3 from 2 to 3 and øPark Director 4 from 1 to 2.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00009-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office of Mental Health," by

increasing the number of positions of øMental Health Program Manager 1 from 13 to 14.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00010-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office for People with Developmental Disabilities," by adding thereto the positions of Compliance Specialist 3 (1), Equal Opportunity Specialist 1 (1) and Equal Opportunity Specialist 2 (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

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

previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00011-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Economic Development, by adding thereto the position of Public Information Specialist 1 (Digital Content) (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00012-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Corrections and Community Supervision, by adding thereto the position of Associate Counsel (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

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

Jurisdictional Classification

I.D. No. CVS-29-19-00013-P

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

Proposed Action: Amendment of Appendixes 1 and 2 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Labor under the subheading "Administration – General," by increasing the number of positions of Special Assistant from 22 to 32; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Labor, by deleting therefrom the positions of Regional Administrator Labor (10).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

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

previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-29-19-00014-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Family Assistance under the subheading "Office of Children and Family Services," by deleting therefrom the position of øDirector Youth Services Quality Assurance (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-19-00001-P, Issue of January 9, 2019.

Department of Environmental Conservation

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NOx)

I.D. No. ENV-29-19-00016-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 Part 200 and Subpart 227-2 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 3-0301, 3-0303, 19-0105, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105

Subject: Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NOx).

Purpose: Regulation of NOx emissions from major facilities of NOx. The regulation sets NOx limits for boilers, turbines, and engines.

Public hearing(s) will be held at: 11:00 a.m., September 16, 2019 at Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY.

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:

<http://www.dec.ny.gov/regulations/propregulations.html#public>): Part 200 General Provisions

The Department is proposing to repeal and replace the relevant portions of Section 200.9, Table 1 (227-2.6(b)(3)(i) through 227-2.6(c)(2)(iv)) to include the most recent versions of the federal regulation.

Subpart 227-2 Reasonably Available Control Technology (RACT) For Major Facilities Of Oxides Of Nitrogen (NOx)

The Department is proposing to revise 6 NYCRR Subpart 227-2 to remove out-of-date references, emission limitations, and practices. The current version of Subpart 227-2 contains several requirements that have sunset (i.e., are no longer applicable) and will be removed from the regulation. For example, the Department will remove Section 227-2.3(b) which requires facility owners and operators to submit a Title V application by July 1st, 2012. Also, there are currently two sets of presumptive NOx emission limits in Section 227-2.4, which establish control requirements for very large boilers, large boilers, mid-size boilers, and combined cycle combustion turbine source categories. Because the first set of emission limits for each source category sunset on July 1st, 2014, the Department will remove those outdated references. Similarly, the Department will remove the shutdown compliance option in Section 227-2.5(d) because that provision sunset on December 31st, 2014.

The Department is also streamlining the compliance averaging period provisions currently set forth under seven separate subdivisions of Section 227-2.4. Because the language for each source category is identical, those provisions will be removed from Section 227-2.4 and consolidated under Section 227-2.6, Testing, monitoring, and reporting requirements.

Text of proposed rule and any required statements and analyses may be obtained from: Mike Jennings, NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3254, (518) 402-8403, email: air.regs@dec.ny.gov

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

Public comment will be received until: September 23, 2019.

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

Consensus Rule Making Determination

The Department is proposing to revise 6 NYCRR Subpart 227-2 to remove out-of-date references, emission limitations, and practices. This rulemaking will also update various provisions incorporated by reference in Part 200. The Department is proposing this as a consensus rulemaking. The Department does not foresee any sensitive issues with this rulemaking and does not anticipate any negative comments.

Job Impact Statement

NATURE OF IMPACT

The Department is revising Subpart 227-2 to remove out-of-date references, emission limitations, and practices, and does not anticipate any adverse impact on employment opportunities in the State as a result of these proposed revisions.

CATEGORIES AND NUMBERS OF JOBS OR EMPLOYMENT OPPORTUNITIES AFFECTED

The Department does not anticipate that the proposed revisions to Subpart 227-2 will have any effect on the number of current jobs or future employment opportunities throughout New York State.

REGIONS OF ADVERSE IMPACT

The proposed revisions to Subpart 227-2 apply statewide and are not

expected to have an adverse impact on jobs or employment opportunities in New York State. The regulation does not impact any particular region or area of the state disproportionately in terms of jobs or employment opportunities.

MINIMIZING ADVERSE IMPACT

The Department does not expect any adverse impacts on jobs in New York State as a result of the proposed changes to Subpart 227-2. Subpart 227-2 is a statewide regulation and the requirements are the same for all facilities throughout the State.

SELF-EMPLOYMENT OPPORTUNITIES

The Department does not anticipate any adverse impacts on self-employment opportunities associated with the proposed revisions to Subpart 227-2.

INITIAL REVIEW

The initial review of this rule shall occur within the third year after this rule is adopted.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Federal and State Standards for Acceptable Air Quality

I.D. No. ENV-29-19-00017-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 257 of Title 6 NYCRR.

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

Subject: Federal and State standards for acceptable air quality.

Purpose: To revise outdated State and Federal air quality standards.

Public hearing(s) will be held at: 11:00 a.m., September 16, 2019 at Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY.

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.

Text of proposed rule: Subdivision 257-1.2(b) is repealed.

The remainder of Subpart 257-1 remains unchanged.

Subpart 257-2 remains unchanged.

Subdivision 257-3.3(a) and (b) are repealed. Subdivisions 257-3.3 (c) through (f) are re-lettered 257-3.3(a) through (d).

Subdivision 257-3.3(f) is amended to read as follows:

[(f)] (d) The standards in subdivisions [(c), (d) and (e)] (a), (b) and (c) of this section are intended for enforcement purposes, and monitoring will be performed only as required in a particular area. For prediction purposes, prediction of conformity with the annual geometric mean standard shall be sufficient to demonstrate predicted conformity with these standards.

Section 257-3.4 remains unchanged.

Section 257-3.5 is amended to read as follows:

(a) Concentration of suspended particulates is determined [gravimetrically by the use of high-volume sampling techniques by drawing air through a filter for 24 hours and is expressed in micrograms of suspended particulate per cubic meter of air ($\mu\text{g}/\text{m}^3$)] by the federal reference methods found in 40 CFR Part 50 Appendices J, K and L (See Table 1, Section 200.9) or another method acceptable to the Commissioner. Specifications for equipment and filter media shall conform to standards acceptable to the commissioner.

(b) Concentration of settleable particulates or dustfall is determined gravimetrically by the collection of the settleable particulate in a vessel with a defined surface area reported as cm^2 [in a one-gallon glass jar without a lid. Area on which the particles have settled is computed from the inside diameter of the jar mouth.] The results are expressed as milligrams of settleable particulate per square centimeter per month ($\text{mg}/\text{cm}^2/\text{mo}$).

Subdivision 257-3.6(a) remains unchanged.

Paragraph 257-3.6(b)(1) is repealed.

Paragraphs 257-3.6(b)(2) through (5) are renumbered 257-3.6(b)(1) through (4).

Subparts 257-4 through 257-7 are repealed.

Subpart 257-8 is renumbered 257-4.

Section 257-8.1 is renumbered 257-4.1 and amended to read as follows:

The term fluorides refers to a heterogeneous group of compounds formed from the highly reactive, nonmetallic gaseous element known as fluorine. For the purpose of this Subpart, the term fluoride will include material that tests as fluoride by [the method specified or other] methods acceptable to the commissioner.

Section 257-8.2 is repealed.

Section 257-8.3 is renumbered 257-4.2.

Section 257-8.4 is renumbered 257-4.3 and is amended to read as follows:

(a) Total fluorides in and on forage shall be determined by [fusion of a representative sample by the Schoniger flash oxygen combustion method and analysis by specific ion electrode* or other] methods acceptable to the commissioner.

(b) Gaseous fluorides in air will be collected and analyzed by methods acceptable to the commissioner.

Footnote will be repealed.

[* Standard Method For Fluorides From Vegetation, New York State Department of Health, Division of Labs. & Research, August, 1970 (or subsequent revision). ppb = $0.82 \mu\text{g}/\text{m}^3$ as F.]

Subpart 257-9 is repealed.

Subpart 257-10 is renumbered 257-5.

Sections 257-10.1 through 257-10.4 are renumbered 257-5.1 through 257-5.4.

Renumbered section 257-5.3 is amended as follows:

Applicable in all levels. In any one-hour period, the average concentration of hydrogen sulfide shall not exceed 0.010 ppm ($14 \mu\text{g}/\text{m}^3$).

Renumbered section 257-5.4 is amended as follows:

(a) Hydrogen sulfide is determined by the [Cadmium Hydroxide-Methylene Blue method] methods acceptable to the commissioner and expressed as parts of hydrogen sulfide per million parts of ambient air (ppm) by volume.

(b) All measurements are corrected to a reference temperature of 25 degrees Centigrade and to a reference pressure of 760 millimeters of mercury.

Text of proposed rule and any required statements and analyses may be obtained from: Steve DeSantis, NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3259, (518) 402-8402, email: air.regs@dec.ny.gov

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

Public comment will be received until: September 23, 2019.

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

Regulatory Impact Statement

INTRODUCTION

6 NYCRR Part 257, subparts 257-2 through 257-10, list the New York State Air Quality Standards (SAQS) promulgated by the Department over several decades. A number of these SAQS are outdated and have been superseded by Federal air quality standards and will be repealed or revised. Several of the required test methods are also outdated and they have been replaced with new language allowing the testing methodology to evolve as analytical methods improve.

The Division of Air Resources proposes to revise or repeal portions of this regulation to achieve parity with federal standards and support the Department's mission to preserve and protect air quality.

1. STATUTORY AUTHORITY

The statutory authority for this amendment is found in the Environmental Conservation Law (ECL), Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105.

ECL section 1-0101. This section declares it to be the policy of New York State to conserve, improve and protect its natural resources and environment and to prevent, abate and control water, land and air pollution, in order to enhance the health, safety and welfare of the people of the state and their overall economic and social well-being. Section 1-0101 further declares it is New York State's policy to coordinate the State's environmental plans, functions, powers and programs with those of the federal government and other regions; and to manage air resources so that the State may fulfill its responsibility as steward of the environment for present and future generations. This section also provides that it is the policy of New York State to foster, promote, create and maintain conditions by which man and nature can thrive in harmony by, among other things, preserving the unique qualities of special resources such as the Adirondack and Catskill forest preserves and providing that neighborly care is taken for the air resources that are shared with other states.

ECL section 1-0303 contains relevant definitions.

ECL section 3-0301. This section empowers the Department to coordinate and develop programs to carry out the environmental policy of New York State set forth in section 1-0101. Section 3-0301 specifically empowers the Department to: provide for the prevention and abatement of air pol-

lution; cooperate with officials and representatives of the federal government, other states, and interstate agencies regarding problems affecting the environment of New York State; encourage and undertake scientific investigation and research on the ecological process, pollution prevention, abatement, and other areas essential to understanding and achieving the environmental policy set forth in section 1-0101; and monitor the environment to afford more effective and efficient control practices.

ECL section 19-0103. This section declares it to be the policy of the state of New York to "maintain a reasonable degree of purity of the air resources of the state..."

ECL section 19-0105. This section sets out the purpose of Article 19 is "to safeguard the air resources of the State from pollution. . ."

ECL section 19-0107. This section defines air pollution related terms.

ECL section 19-0301. This section declares that the Department has the power to promulgate regulations for preventing, controlling or prohibiting air pollution and shall include in such regulations provisions prescribing the degree of air pollution that may be emitted to the air by any source in any area of the State. Specifically, paragraphs 19-0301(1)(a) and (b) state that:

1. Consistent with the policy of the state as it is declared in section 19-0103, the Department shall have power to:

a. Formulate, adopt and promulgate, amend and repeal codes and rules and regulations for preventing, controlling or prohibiting air pollution in such areas of the state as shall or may be affected by air pollution. . .

b. Include in any such codes and rules and regulations provisions establishing areas of the state and prescribing for such areas (1) the degree of air pollution or air contamination that may be permitted therein, and (2) the extent to which air contaminants may be emitted to the air by any air contamination source...

Paragraph 19-0301(2)(a) further provides that it shall be the duty and responsibility of the Department to prepare and develop a general comprehensive plan for the control or abatement of existing air pollution and for the control or prevention of any new air pollution recognizing varying requirements for different areas of the State.

ECL section 19-0303. This section provides that the terms of any air pollution control regulation promulgated by the Department may differentiate between particular types and conditions of air pollution and air contamination sources.

ECL section 19-0305. This section authorizes the Department to enforce the codes, rules and regulations established in accordance with Article 19. Section 19-0905 also empowers the Department to conduct or cause to be conducted studies and research with respect to air pollution control, abatement or prevention.

ECL Sections 71-2103 and 71-2105 set forth the civil and criminal penalty structures for violations of Article 19.

2. LEGISLATIVE OBJECTIVES

The legislative objectives of ECL Article 19 are clearly articulated in section 19-0301 and 19-0303 as described above. ECL Article 19 was enacted to safeguard the air resources of New York from pollution and ensure the protection of the public health and welfare, the natural resources of the State and physical property, and integrating industrial development with sound environmental practices. This proposal furthers the statutory and public policy objectives sought by the Legislature because it facilitates cleaner air and overall economic and social well-being. Proposed Part 257 streamlines and simplifies compliance for the regulated community by eliminating obsolete and redundant air quality standards, updating collection and measurement requirements, and restructuring the regulation for easier parsing by regulated entities and the people of New York alike.

3. NEEDS AND BENEFITS

The proposed changes are needed because New York State's Ambient Air Quality Standards are out of sync with the current federal National Ambient Air Quality Standards. The public and regulated community will benefit from the proposed changes because the streamlined regulation will remove redundant and obsolete sections allowing for a more direct reading of the requirements. It is also important for the Department to review and update regulations on a consistent time frame to ensure the public the most protective public health benefits.

The following federal standards are outdated and will be repealed:

257-3.3(a) Standards for Suspended Particulates. The 24-hour suspended particulate (PM10 particles) standard is outdated.

257-3.3(b) Standards for Suspended Particulates. The federal annual PM10 standard was repealed in 2006 but New York State still lists an annual standard in Subpart 257-3.

257-3.6 Sampling frequency, the frequency for the annual standard is outdated.

257-4 – Air Quality Standards – Carbon Monoxide. This standard is redundant of the federal regulations.

257-5 – Air Quality Standards – Photochemical Oxidants. This term is outdated and currently superseded by federal ozone regulations.

257-6 – Air Quality Standards – Hydrocarbons (non-methane). This standard is outdated and no longer justified.

257-7 – Air Quality Standards – Nitrogen Dioxide (NO₂). This standard is redundant of the federal regulations.

257-9 – Air Quality Standards – Beryllium. This standard is outdated and no longer justified.

The following subparts are specific to the State of New York and will remain in effect with either no or minor revisions:

257-2 – Air Quality Standards - Sulfur Dioxide SO₂

In June of 2010, the USEPA promulgated a one-hour primary standard for sulfur dioxide (SO₂). The current Part 257 regulation does not include the one-hour and the Department recommends not adding it to Part 257-2 at this time.

The current federal SO₂ standards require the Department to demonstrate attainment with a 3-hour, 24-hour and annual concentration throughout New York State. The Department acknowledges that these 1971 standards must remain in effect until one year after an area is designated for the 2010 standard. Based on a court ordered schedule, USEPA will make the last of the designations for the 2010 standard in December 2020. The Department will keep subpart 257-2 in effect until that time after which the 3-hour, 24-hour and annual concentration attainment requirements will expire and Part 257-2 will be repealed.

257-3 – Air Quality Standards - Particulates

257-3.3(c), (d) and (e) Standards for Suspended Particulates are re-lettered.

Subpart 257-3.3 lists standards for suspended particulate (< 10 microns) for 30, 60 and 90 days with varying allowable concentrations based on Subchapter C. Air Quality Classifications I through IV. These standards will remain in effect.

257-8 – Air Quality Standards – Fluorides

Subpart 257-8 is renumbered 257-4.

The fluoride State Air Quality Standard (SAQS) is specific to New York. The SAQS addresses the deposition of fluoride compounds during the manufacturing of primary aluminum. The method specified for measuring total fluorides is from 1970 and will be updated.

257-10 – Air Quality Standards – Hydrogen Sulfide (H₂S)

Subpart 257-10 is renumbered 257-5.

The hydrogen sulfide standard shall remain in effect for the protection of the public from the operational release of hydrogen sulfide from landfills, sewage treatment plants and pulp mills which can interfere with the comfortable enjoyment of life or property. The analytical methods for the measurement H₂S, section of subpart 247-5, will be updated to reflect the current state of science. The standard for hydrogen sulfide will be adjusted to two significant figures, 0.010 ppm from the current standard of 0.01 ppm for clarification.

4. COSTS

The costs of this regulatory change are negligible for the public and regulated community. The proposed changes represent repealing outdated information and allowing for the use updated measurement methodologies. There will be no additional costs on small businesses or local government. The costs to the State and Department are confined to the normal administrative costs of proposing or modifying departmental regulations.

5. LOCAL GOVERNMENT MANDATES

This proposed revision to Part 257 contains no local government mandates.

6. PAPERWORK

This rulemaking would require the collection of facility specific emissions information and emission point parameters for all Title V and State Facility permits when demonstrating compliance with the regulation. Those facility owners currently subject to Part 257 would not see any increase in paperwork or control restrictions.

7. DUPLICATION

The purpose of the proposed changes is to remove duplicative and obsolete requirements.

8. ALTERNATIVES

One alternative to the proposed rulemaking is to leave the current state air pollution standards in place, however, as described above, the standards are either outdated or superseded by another regulation. It is the commitment of the Division of Air Resources to actively look at applicable regulations and address outdated or obsolete regulations.

Another alternative scenario is repealing all subparts of Part 257. This action would deprive the citizens of New York of the public health protection provided by the updated regulations. For example, Subpart 257-10, the air quality standard for hydrogen sulfide, protects citizens from the operational release of hydrogen sulfide from landfills, sewage treatment plants and pulp mills which can interfere with the comfortable enjoyment of life or property.

9. FEDERAL STANDARDS

Subparts which have been superseded by stricter federal regulations, will be revised or repealed as necessary.

10. COMPLIANCE SCHEDULE

There are no new compliance schedules associated with this rulemaking.

Regulatory Flexibility Analysis**EFFECT OF RULE:**

6 NYCRR Part 257, subparts 257-2 through 257-10, list the New York State Air Quality Standards (SAQS) promulgated by the Department over several decades. A number of these SAQS are outdated and have been superseded by Federal air quality standards and will be repealed or revised. Several of the required test methods are also outdated and they have been replaced with new language allowing the testing methodology to evolve as analytical methods improve.

The Division of Air Resources proposes to revise or repeal portions of this regulation to achieve parity with federal standards and support the Department's mission to preserve and protect air quality. The proposed revisions to Part 257 will have no effect on small business and local governments different than the current requirements.

COMPLIANCE REQUIREMENTS:

Affected small business and local governments are already required to comply with certain subparts of the existing Part 257, most notably Part 257-10 Ambient Air Quality Standard – Hydrogen Sulfide. Small business and local governments should incur no additional compliance burdens due to the proposed changes of Part 257.

PROFESSIONAL SERVICES:

The professional services that a small business or local government may need to comply with the existing and revised Part 257 would be in the environmental engineering field. Civil and environmental engineering firms offer services to meet the needs of permitting, air dispersion modeling and air monitoring for applicable facilities.

COMPLIANCE COSTS:

The costs of this regulation are negligible on the public and regulated community. There will be no additional costs on small businesses or local government. The costs to the State and Department are confined to the normal administrative costs of proposing or modifying departmental regulations.

ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

An assessment of the economic and technological feasibility of compliance with the revisions to Part 257 by small businesses and local governments is not expected to generate any additional administrative or technological costs.

MINIMIZING ADVERSE IMPACT:

The impact to job growth to small businesses or increased spending by local governments due to this proposed regulation is expected to be minimal. The proposed rule changes are designed to minimize any redundant air monitoring requirements for the agency and not to incur to requirements on air quality permit holders.

SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION:

The Department plans on holding a public hearing during the proposal. Interested small businesses and local governments may choose to attend this public hearing. Additionally, there would be a public comment period in which interested parties who are unable to attend a public hearing can submit written comments on the proposed regulation.

CURE PERIOD:

The Department does not believe that there is a need for a cure period for the proposed Part 257 because none of the revised or repealed actions will establish new time frames to demonstrate compliance.

Rural Area Flexibility Analysis

6 NYCRR Part 257, subparts 257-2 through 257-10, list the New York State Air Quality Standards (SAQS) promulgated by the Department over several decades. A number of these SAQS are outdated and have been superseded by Federal air quality standards and will be repealed or revised. Several of the required test methods are also outdated and they have been replaced with new language allowing the testing methodology to evolve as analytical methods improve.

The Division of Air Resources proposes to revise or repeal portions of this regulation to achieve parity with federal standards and support the Department's mission to preserve and protect air quality.

TYPES AND ESTIMATED NUMBERS OF RURAL AREAS

6 NYCRR Part 257 pertains to all facilities in New York and therefore to all facilities located in rural counties (less than 200,000 people) and towns (less than 150 people per square mile). The extent to which rural areas are affected would depend on the specific type(s) of emission sources located in the rural area. However, the proposed revisions are not anticipated to have any disproportional impacts on rural communities.

REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

No additional record keeping, reporting, or other requirements would be imposed on local rural governments or facility owners that would be different from any other applicable individuals or corporations complying with New York State air pollution regulations.

COSTS

The Costs of this regulation are negligible on the public and regulated

community. Changes in the required test methods will allow for the most up to date technology however this will not incur new costs because the regulated entities have already employed the new methodologies over the years. There will be no additional costs on small businesses, local government or rural areas. The costs to the State and Department are confined to the normal administrative costs of proposing or modifying departmental regulations.

MINIMIZING ADVERSE IMPACT

The revision to 6 NYCRR Part 257 is not expected to impede job growth in rural areas or cause an undue burden on local rural communities. The proposed rule changes are designed to minimize any redundant air monitoring requirements for the agency.

RURAL AREA PARTICIPATION

The Department plans on holding a public hearing during the proposal stage of the rulemaking. Interested persons from rural communities may attend this hearing. Additionally, there would be a public comment period in which interested parties who are unable to attend a public hearing can submit written comments on the proposed regulation.

Job Impact Statement**NATURE OF IMPACT**

6 NYCRR Part 257, subparts 257-2 through 257-10, list the New York State Air Quality Standards (SAQS) promulgated by the Department over several decades. A number of these SAQS are outdated and have been superseded by Federal air quality standards and will be repealed or revised. Several of the required test methods are also outdated and they have been replaced with new language allowing the testing methodology to evolve as analytical methods improve.

The Division of Air Resources proposes to revise or repeal portions of this regulation to achieve parity with federal standards and support the Department's mission to preserve and protect air quality. The changes to Part 257 will have no impact on jobs or job growth in the state. The intent of the changes is to restructure the regulation allowing for easier interpretation.

CATEGORIES AND NUMBERS AFFECTED

The changes to Part 257 will not affect specific categories of jobs or employment opportunities. The proposed changes are ministerial in nature.

REGIONS OF ADVERSE IMPACT

The current regulation applies to manufacturing industries across the state, large and small, rural, suburban, and urban. Regardless of regional location, the proposed regulation revision should not have any regional-specific impacts with respect to increase or decrease of jobs.

MINIMIZING ADVERSE IMPACT

The proposed rule changes are designed to minimize any redundant air monitoring requirements for the agency and not to incur additional requirements on air quality permit holders.

SELF-EMPLOYMENT OPPORTUNITIES

N/A.

Department of Financial Services

EMERGENCY RULE MAKING

Registration and Financial Responsibility Requirements for Mortgage Loan Servicers

I.D. No. DFS-16-19-00009-E

Filing No. 602

Filing Date: 2019-07-01

Effective Date: 2019-07-01

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

Action taken: Addition of Part 418, Supervisory Procedures MB 109 and MB 110 to Title 3 NYCRR.

Statutory authority: Banking Law, art. 12-D

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

Specific reasons underlying the finding of necessity: Chapter 472 of the Laws of 2008, which requires mortgage loan servicers to be registered with the Superintendent of Financial Services, went into effect on July 1, 2009. These regulations implement the registration requirement and inform servicers of the details of the registration process so applicants can prepare, submit and review applications for registrations on a timely basis.

Excluding persons servicing loans made under the Power New York Act from the mortgage loan servicer rules is necessary to facilitate the implementation of such loan program so that the anticipated energy efficiency benefits can be realized without undue regulatory burden.

The timely registration of mortgage loan servicers and the granting of exemptions from registration, as applicable, are necessary to protect both borrowers and other participants in the home mortgage lending market. Accordingly, it is imperative that Part 418 of the Superintendent's Regulations and Supervisory Procedures MB 109 and MB 110 be promulgated on an emergency basis for the public's general welfare.

Subject: Registration and Financial Responsibility Requirements for Mortgage Loan Servicers.

Purpose: The rule implements provisions of the Subprime Lending Reform Law (ch. 472, Laws of 2008) amending article 12-D of the Banking Law to require that persons or entities which service mortgage loans on residential real property on or after July 1, 2009 be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). Part 418 sets forth application, exemption and approval procedures for registration as a mortgage loan servicer (MLS) and financial responsibility requirements for applicants, registrants and exempted persons. Supervisory Procedure MB 109 sets forth the details of the application procedure. Supervisory Procedure MB 110 sets forth the procedure for approval of a change of control of a registered MLS.

Substance of emergency rule (Full text is posted at the following State website: https://www.dfs.ny.gov/industry_guidance/regulations/emergency_banking): Section 418.1 summarizes the scope and application of Part 418. It notes that Sections 418.2 to 418.11 implement the requirement in Article 12-D of the Banking Law that certain mortgage loan servicers ("servicers") be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks), while Sections 418.12 and 418.13 set forth financial responsibility requirements that are applicable to both registered and exempt servicers. (Section 418.14 sets forth the transitional rules.)

Section 418.2 implements the provisions in Section 590(2)(b-1) of the Banking Law requiring registration of servicers and exempting mortgage bankers, mortgage brokers, and most banking and insurance companies, as well as their employees. Servicing loans made pursuant to the Power New York Act of 2011 is excluded. The Superintendent is authorized to approve other exemptions.

Section 418.3 contains a number of definitions of terms that are used in Part 418, including "Mortgage Loan", "Mortgage Loan Servicer", "Third Party Servicer" and "Exempted Person".

Section 418.4 describes the requirements for applying for registration as a servicer.

Section 418.5 describes the requirements for a servicer applying to open a branch office.

Section 418.6 covers the fees for application for registration as a servicer, including processing fees for applications and fingerprint processing fees.

Section 418.7 sets forth the findings that the Superintendent must make to register a servicer and the procedures to be followed upon approval of an application for registration. It also sets forth the grounds upon which the Superintendent may refuse to register an applicant and the procedure for giving notice of a denial.

Section 418.8 defines what constitutes a "change of control" of a servicer, sets forth the requirements for prior approval of a change of control, the application procedure for such approval and the standards for approval. The section also requires servicers to notify the Superintendent of changes in their directors or executive officers.

Section 418.9 sets forth the grounds for revocation of a servicer registration and authorizes the Superintendent, for good cause or where there is substantial risk of public harm, to suspend a registration for 30 days without a hearing. The section also provides for suspension of a servicer registration without notice or hearing upon non-payment of the required assessment. The Superintendent can also suspend a registration when a servicer fails to file a required report, when its surety bond is cancelled, or when it is the subject of a bankruptcy filing. If the registrant cures the deficiencies its registration can be reinstated. The section further provides that in all other cases, suspension or revocation of a registration requires notice and a hearing.

The section also covers the right of a registrant to surrender its registration, as well as the effect of revocation, termination, suspension or surrender of a registration on the obligations of the registrant. It provides that registrations will remain in effect until surrendered, revoked, terminated or suspended.

Section 418.10 describes the power of the Superintendent to impose fines and penalties on registered servicers.

Section 418.11 sets forth the requirement that applicants demonstrate five years of servicing experience as well as suitable character and fitness.

Section 418.12 covers the financial responsibility and other requirements that apply to applicants for servicer registration, registered servicers and exempted persons (other than insured depository institutions to which Section 418.13 applies). The financial responsibility requirements include a required net worth (as defined in the section) of at least \$250,000 plus 1/4 % of total loans serviced or, for a Third Party Servicer, 1/4 of 1% of New York loans serviced; (2) a corporate surety bond of at least \$250,000 and (3) a Fidelity and E&O bond in an amount that is based on the volume of New York mortgage loans serviced, with a minimum of \$300,000.

The Superintendent is empowered to waive, reduce or modify the financial responsibility requirements for certain servicers who service an aggregate amount of loans not exceeding \$4,000,000.

Section 418.13 exempts from the otherwise applicable net worth and surety bond requirements, but not the Fidelity and E&O bond requirements, entities that are subject to the capital requirements applicable to insured depository institutions and that are considered at least adequately capitalized.

Section 418.14 provides a transitional period for registration of mortgage loan servicers. A servicer doing business in this state on June 30, 2009 which files an application for MLS registration by July 31, 2009 will be deemed in compliance with the registration requirement until notified that its application has been denied. A person who is required to register as a servicer solely because of the changes in the provisions of the rule regarding use of third party servicers which became effective on August 23, 2011 and who files an application for registration within 30 days thereafter will not be required to register until six months from the effective date of the amendment or until the application is denied, whichever is earlier.

Section 109.1 defines a number of terms that are used in the Supervisory Procedure.

Section 109.2 contains a general description of the process for registering as a mortgage loan servicer ("servicer") and contains information about where the necessary forms and instructions may be found.

Section 109.3 lists the documents to be included in an application for servicer registration, including the required fees. It also sets forth the execution and attestation requirements for applications. The section makes clear that the Superintendent of Financial Services (formerly the Superintendent of Banks) can require additional information or an in person conference, and that the applicant can submit additional pertinent information.

Section 109.4 describes the information and documents required to be submitted as part of an application for registration as a servicer. This includes various items of information about the applicant and its regulatory history, if any, information demonstrating compliance with the applicable financial responsibility and experience requirements, information about the organizational structure of the applicant, and other documents, such as fingerprint cards and background reports.

Section 110.1 defines a number of terms that are used in the Supervisory Procedure.

Section 110.2 contains a general description of the process for applying for approval of a change of control of a mortgage loan servicer ("servicer") and contains information about where the necessary forms and instructions may be found.

Section 110.3 lists the documents to be included in an application for approval of a change of control of a servicer, including the required fees. It sets forth the time within which the Superintendent of Financial Services (formerly the Superintendent of Banks) must approve or disapprove an application. It also sets forth the execution and attestation requirements for applications. The section makes clear that the Superintendent can require additional information or an in person conference, and that the applicant can submit additional pertinent information. Last, the section lists the types of changes in a servicer's operations resulting from a change of control which should be notified to the Department of Financial Services (formerly the Banking Department).

Section 110.4 describes the information and documents required to be submitted as part of an application for approval of a change of control of servicer. This includes various items of information about the applicant and its regulatory history, if any, information demonstrating continuing compliance with the applicable financial responsibility and experience requirements, information about the organizational structure of the applicant, a description of the acquisition and other documents regarding the applicant, such as fingerprint cards and background reports.

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. DFS-16-19-00009-EP, Issue of April 17, 2019. The emergency rule will expire August 29, 2019.

Text of rule and any required statements and analyses may be obtained from: George Bogdan, Department of Financial Services, One State Street, New York, NY 10004-1417, (212) 480-4758, email: george.bogdan@dfs.ny.gov

Regulatory Impact Statement**1. Statutory Authority.**

Article 12-D of the Banking Law, as amended by the Legislature in the Subprime Lending Reform Law (Ch. 472, Laws of 2008, hereinafter, the "Subprime Law"), creates a framework for the regulation of mortgage loan servicers. Mortgage loan servicers (MLS) are individuals or entities which engage in the business of servicing mortgage loans for residential real property located in New York. That legislation also authorizes the adoption of regulations implementing its provisions. (See, e.g., Banking Law Sections 590(2) (b-1) and 595-b.)

Subsection (1) of Section 590 of the Banking Law was amended by the Subprime Law to add the definitions of "mortgage loan servicer" and "servicing mortgage loans". (Section 590(1)(h) and Section 590(1)(i).)

A new paragraph (b-1) was added to Subdivision (2) of Section 590 of the Banking Law. This new paragraph prohibits a person or entity from engaging in the business of servicing mortgage loans without first being registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). The registration requirements do not apply to an "exempt organization," licensed mortgage banker or registered mortgage broker.

This new paragraph also authorizes the Superintendent to refuse to register an MLS on the same grounds as he or she may refuse to register a mortgage broker under Banking Law Section 592-a(2).

Subsection (3) of Section 590 was amended by the Subprime Law to clarify the power of the banking board to promulgate rules and regulations and to extend the rulemaking authority regarding regulations for the protection of consumers and regulations to define improper or fraudulent business practices to cover mortgage loan servicers, as well as mortgage bankers, mortgage brokers and exempt organizations. (Note that under Section 89 of Part A of Chapter 62 of the Laws of 2011, the functions and powers of the banking board have been transferred to the Superintendent.)

New Paragraph (d) was added to Subsection (5) of Section 590 by the Subprime Law and requires mortgage loan servicers to engage in the servicing business in conformity with the Banking Law, such rules and regulations as may be prescribed by the Superintendent, and all applicable federal laws, rules and regulations.

New Subsection (1) of Section 595-b was added by the Subprime Law and requires the Superintendent to promulgate regulations and policies governing the grounds to impose a fine or penalty with respect to the activities of a mortgage loan servicer. Also, the Subprime Law amends the penalty provision of Subdivision (1) of Section 598 to apply to mortgage loan servicers as well as to other entities.

New Subdivision (2) of Section 595-b was added by the Subprime Law and authorizes the Superintendent to prescribe regulations relating to disclosure to borrowers of interest rate resets, requirements for providing payoff statements, and governing the timing of crediting of payments made by the borrower.

Section 596 was amended by the Subprime Law to extend the Superintendent's examination authority over licensees and registrants to cover mortgage loan servicers. The provisions of Banking Law Section 36(10) making examination reports confidential are also extended to cover mortgage loan servicers.

Similarly, the books and records requirements in Section 597 covering licensees, registrants and exempt organizations were amended by the Subprime Law to cover servicers and a provision was added authorizing the Superintendent to require that servicers file annual reports or other regular or special reports.

The power of the Superintendent to require regulated entities to appear and explain apparent violations of law and regulations was extended by the Subprime Law to cover mortgage loan servicers (Subdivision (1) of Section 39), as was the power to order the discontinuance of unauthorized or unsafe practices (Subdivision (2) of Section 39) and to order that accounts be kept in a prescribed manner (Subdivision (5) of Section 39).

Finally, mortgage loan servicers were added to the list of entities subject to the Superintendent's power to impose monetary penalties for violations of a law, regulation or order. (Paragraph (a) of Subdivision (1) of Section 44).

The fee amounts for MLS registration applications and for MLS branch applications are established in accordance with Banking Law Section 18-a.

2. Legislative Objectives.

The Subprime Law is intended to address various problems related to residential mortgage loans in this State. The Subprime Law reflects the view of the Legislature that consumers would be better protected by the supervision of mortgage loan servicing. Even though mortgage loan servicers perform a central function in the mortgage industry, there had previously been no general regulation of servicers by the state or the Federal government.

The Subprime Law requires that entities be registered with the Superintendent in order to engage in the business of servicing mortgage loans in this state. The law further requires mortgage loan servicers to engage in

the business of servicing mortgage loans in conformity with the rules and regulations promulgated by the Superintendent.

The mortgage servicing statute has two main components: (i) the first component addresses the registration requirement for persons engaged in the business of servicing mortgage loans; and (ii) the second authorizes the Superintendent to promulgate appropriate rules and regulations for the regulation of servicers in this state.

The regulations implement the first component of the mortgage servicing statute – the registration of mortgage servicers. In doing so, the rule utilizes the authority provided to the Superintendent to set standards for the registration of such entities. For example, the rule requires that a potential loan servicer would have to provide, under Sections 418.11 to 418.13 of the proposed regulations, evidence of their character and fitness to engage in the servicing business and demonstrate to the Superintendent their financial responsibility. The rule also utilizes the authority provided by the Legislature to revoke, suspend or otherwise terminate a registration or to fine or penalize a registered mortgage loan servicer.

Consistent with this requirement, the rule authorizes the Superintendent to refuse to register an applicant if he/she shall find that the applicant lacks the requisite character and fitness, or any person who is a director, officer, partner, agent, employee, substantial stockholder of the applicant has been convicted of certain felonies. These are the same standards as are applicable to mortgage bankers and mortgage brokers in New York. (See Section 418.7.)

Further, in carrying out the Legislature's mandate to regulate the mortgage servicing business, Section 418.8 sets out certain application requirements for prior approval of a change in control of a registered mortgage loan servicer and notification requirements for changes in the entity's executive officers and directors. Collectively, these various provisions implement the intent of the Legislature to register and supervise mortgage loan servicers.

The Department has separately adopted emergency regulations dealing with business conduct and consumer protection requirements for MLSs. (3 NYCRR Part 419).

3. Needs and Benefits.

The Subprime Law adopted a multifaceted approach to the lack of supervision of the mortgage loan industry. It affected a variety of areas in the residential mortgage loan industry, including: i. loan originations; ii. loan foreclosures; and iii. the conduct of business by residential mortgage loans servicers.

Previously, the Department of Financial Services (formerly the Banking Department) regulated the brokering and making of mortgage loans, but not the servicing of these mortgage loans. Servicing is vital part of the residential mortgage loan industry; it involves the collection of mortgage payments from borrowers and remittance of the same to owners of mortgage loans; to governmental agencies for taxes; and to insurance companies for insurance premiums. Mortgage servicers also may act as agents for owners of mortgages in negotiations relating to modifications. As "middlemen," moreover, servicers also play an important role when a property is foreclosed upon. For example, the servicer may typically act on behalf of the owner of the loan in the foreclosure proceeding.

Further, unlike in the case of a mortgage broker or a mortgage lender, borrowers cannot "shop around" for loan servicers, and generally have no input in deciding what company services their loans. The absence of the ability to select a servicer obviously raises concerns over the character and viability of these entities given the central part of they play in the mortgage industry. There also is evidence that some servicers may have provided poor customer service. Specific examples of these activities include: pyramiding late fees; misapplying escrow payments; imposing illegal prepayment penalties; not providing timely and clear information to borrowers; and erroneously force-placing insurance when borrowers already have insurance.

While minimum standards for the business conduct of servicers is the subject of another emergency regulation which has been promulgated by the Department. (3 NYCRR Part 419) Section 418.2 makes it clear that persons exempted by from the registration requirement must notify the Department that they are servicing mortgage loans and must otherwise comply with the regulations.

As noted above, these regulations relate to the first component of the mortgage servicing statute – the registration of mortgage loan servicers. It is intended to ensure that only those persons and entities with adequate financial support and sound character and general fitness will be permitted to register as mortgage loan servicers.

Further, consumers in this state will also benefit under these regulations because in the event there is an allegation that a mortgage servicer is involved in wrongdoing and the Superintendent finds that there is good cause, or that there is a substantial risk of public harm, he or she can suspend such mortgage servicer for 30 days without a hearing. And in other cases, he or she can suspend or revoke such mortgage servicer's registration after notice and a hearing. Also, the requirement that servicers

meet minimum financial standards and have performance and other bonds will act to ensure that consumers are protected.

As noted above, the MLS regulations are divided into two parts. The Department had separately adopted emergency regulations dealing with business conduct and consumer protection requirements for MLSs. (3 NYCRR Part 419).

All Exempt Organizations, mortgage bankers and mortgage brokers that perform mortgage loan servicing with respect to New York mortgages must notify the Superintendent that they do so, and will be required to comply with the conduct of business and consumer protection rules applicable to MLSs.

Under Section 418.2, a person servicing loans made under the Power New York Act of 2011 will not thereby be considered to be engaging in the business of servicing mortgage loans. Consequently, a person would not be subject to the rules applicable to MLSs by reason of servicing such loans.

4. Costs.

The mortgage business will experience some increased costs as a result of the fees associated with MLS registration. The amount of the application fee for MLS registration and for an MLS branch application is \$3,000.

The amount of the fingerprint fee is set by the State Division of Criminal Justice Services and the processing fees of the National Mortgage Licensing System are set by that body. MLSs will also incur administrative costs associated with preparing applications for registration.

The ability by the Department to regulate mortgage loan servicers is expected to reduce costs associated with responding to consumers' complaints, decrease unnecessary expenses borne by mortgagors, and, through the timely response to consumers' inquiries, should assist in decreasing the number of foreclosures in this state.

The regulations will not result in any fiscal implications to the State. The Department is funded by the regulated financial services industry. Fees charged to the industry will be adjusted periodically to cover Department expenses incurred in carrying out this regulatory responsibility.

5. Local Government Mandates.

None.

6. Paperwork.

An application process has been established for potential mortgage loan servicers to apply for registration electronically through the National Mortgage Licensing System and Registry (NMLSR) - a national system, which currently facilitates the application process for mortgage brokers, bankers and loan originators. Therefore, the application process is virtually paperless; however, a limited number of documents, including fingerprints where necessary, would have to be submitted to the Department in paper form.

The specific procedures that are to be followed in order to apply for registration as a mortgage loan servicer are detailed in Supervisory Procedure MB 109.

7. Duplication.

The regulation does not duplicate, overlap or conflict with any other regulations.

An exemption was created under Section 418.13, from the otherwise applicable net worth and surety bond requirements, for entities that are subject to the capital requirements applicable to insured depository institutions and are considered adequately capitalized.

8. Alternatives.

The purpose of the regulation is to carry out the statutory mandate to register mortgage loan servicers while at the same time avoiding overly complex and restrictive rules that would have imposed unnecessary burdens on the industry. The Department is not aware of any alternative that is available to the instant regulations. The Department also has been cognizant of the possible burdens of this regulation, and it has accordingly concluded that an exemption from the registration requirement for persons or entities that are involved in a de minimis amount of servicing would address the intent of the statute without imposing undue burdens those persons or entities.

The procedure for suspending servicers that violate certain financial responsibility or customer protection requirements, which provides a 90-day period for corrective action, during which there can be an investigation and hearing on the existence of other violations, provides flexibility to the process of enforcing compliance with the statutory requirements.

9. Federal Standards.

Currently, mortgage loan servicers are not required to be registered by any federal agencies. However, although not a registration process, in order for any mortgage loan servicer to service loans on behalf of certain federal instrumentalities such servicers have to demonstrate that they have specific amounts of net worth and have in place Fidelity and E&O bonds.

These regulations exceed those minimum standards, in that, a mortgage loan servicer will now have to demonstrate character and general fitness in order to be registered as a mortgage loan servicer. In light of the important role of a servicer – collecting consumers' money and acting as agents for

mortgagees in foreclosure transactions – the Department believes that it is imperative that servicers be required to meet this heightened standard.

10. Compliance Schedule.

The emergency regulation will become effective on July 1, 2019. Similar emergency regulations have been in effect since July 1, 2009.

The Department expects to approve or deny applications within 90 days of the Department's receipt (through NMLSR) of a completed application.

A transitional period is provided for mortgage loan servicers which were doing business in this state on June 30, 2009 and which filed an application for registration by July 31, 2009. Such servicers will be deemed in compliance with the registration requirement until notified by the Superintendent that their application has been denied.

Additionally, the version of Part 418 adopted on an emergency basis effective August 5, 2011 requires holders of mortgage servicing rights to register as mortgage loans servicers even where they have sub-contracted servicing responsibilities to a third-party servicer. Such servicers were given until October 15, 2011 to file an application for registration.

Regulatory Flexibility Analysis

1. Effect of Rule:

The emergency rule will not have any impact on local governments. It is estimated that there are approximately 120 mortgage loan servicers in the state which are not mortgage bankers, mortgage brokers or exempt organizations, and which are therefore required to register under the Subprime Lending Reform Law (Ch. 472, Laws of 2008) (the "Subprime Law") Of these, it is estimated that a very few of the remaining entities will be deemed to be small businesses.

2. Compliance Requirements:

The provisions of the Subprime Law relating to mortgage loan servicers has two main components: it requires the registration by the Department of Financial Services (formerly the Banking Department) of servicers who are not mortgage bankers, mortgage brokers or exempt organizations (the "MLS Registration Regulations"), and it authorizes the Department to promulgate rules and regulations that are necessary and appropriate for the protection of consumers, to define improper or fraudulent business practices, or otherwise appropriate for the effective administration of the provisions of the Subprime Law relating to mortgage loan servicers (the "MLS Business Conduct Regulations").

The provisions of the Subprime Law requiring registration of mortgage loan servicers which are not mortgage bankers, mortgage brokers or exempt organizations became effective on July 1, 2009. The emergency MLS Registration Regulations here adopted implement that statutory requirement by providing a procedure whereby MLSs can apply to be registered and standards and procedures for the Department to approve or deny such applications. The emergency regulations also set forth financial responsibility standards applicable to applicants for MLS registration, registered MLSs and servicers which are exempted from the registration requirement.

Additionally, the regulations set forth standards and procedures for Department action on applications for approval of change of control of an MLS. Finally, the emergency regulations set forth standards and procedures for, suspension, revocation, expiration, termination and surrender of MLS registrations, as well as for the imposition of fines and penalties on MLSs.

3. Professional Services:

None.

4. Compliance Costs:

Applicants for mortgage loan servicer registration will incur administrative costs associated with preparing applications for registration. Applicants, registered MLSs and mortgage loan servicers exempted from the registration requirement may incur costs in complying with the financial responsibility regulations. Registration fees of \$3000, plus fees for fingerprint processing and participation in the National Mortgage Licensing System and Registry (NMLS) will be required of non-exempt servicers.

5. Economic and Technological Feasibility:

The emergency rule-making should impose no adverse economic or technological burden on mortgage loan servicers who are small businesses. The NMLS is now available. This technology will benefit registrants by saving time and paperwork in submitting applications, and will assist the Department by enabling immediate tracking, monitoring and searching of registration information; thereby protecting consumers.

6. Minimizing Adverse Impact:

The regulations minimize the costs and burdens of the registration process by utilizing the internet-based NMLS, developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. This system uses an on-line application form for servicer registration. A common form will be accepted by New York and the other participating states.

As noted above, most servicers are not small businesses. As regards servicers that are small businesses and not otherwise exempted, the regula-

tions give the Superintendent of Financial Services (formerly the Superintendent of Banks) the authority to reduce, waive or modify the financial responsibility requirements for entities that do a de minimis amount of servicing.

7. Small Business and Local Government Participation:

Industry representatives have participated in outreach programs regarding regulation of servicers. The Department also maintains continuous contact with large segments of the servicing industry through its regulation of mortgage bankers and brokers. The Department likewise maintains close contact with a variety of consumer groups through its community outreach programs and foreclosure mitigation programs. In response to comments received regarding earlier versions of this regulation, the Department has modified the financial responsibility requirements. The revised requirements should generally be less burdensome for mortgage loan servicers, particularly smaller servicers and those located in rural areas.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas.

Approximately 70 mortgage loan servicers have been registered by the Department of Financial Services or have applied for registration. Very few of these entities operate in rural areas of New York State and of those, most are individuals that do a de minimis business. As discussed below, the Superintendent can modify the requirements of the regulation in such cases.

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

Mortgage loan servicers in rural areas which are not mortgage bankers, mortgage brokers or exempt organizations must be registered with the Superintendent to engage in the business of mortgage loan servicing. An application process will be established requiring a MLS to apply for registration electronically and to submit additional background information and fingerprints to the Mortgage Banking unit of the Department.

MLSs are required to meet certain financial responsibility requirements based on their level of business. The regulations authorize the Superintendent of Financial Services (formerly the Superintendent of Banks) to reduce or waive the otherwise applicable financial responsibility requirements in the case of MLSs which service not more than \$4,000,000 in aggregate mortgage loans in New York and which do not collect tax or insurance payments. The Superintendent is also authorized to reduce or waive the financial responsibility requirements in other cases for good cause. The Department believes that this will ameliorate any burden which those requirements might otherwise impose on entities operating in rural areas.

Costs.

The mortgage business will experience some increased costs as a result of the fees associated with MLS registration. The application fee for MLS registration will be \$3,000. The amount of the fingerprint fee is set by the State Division of Criminal Justice Services and the processing fees of the National Mortgage Licensing System and Registry ("NMLSR") are set by that body. Applicants for mortgage loan servicer registration will also incur administrative costs associated with preparing applications for registration.

Applicants, registered MLSs and mortgage loan servicers exempted from the registration requirement may incur costs in complying with the financial responsibility regulations.

Minimizing Adverse Impact.

The regulations minimize the costs and burdens of the registration process by utilizing the internet-based NMLSR, developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. This system uses an on-line application form for servicer registration. A common form will be accepted by New York and the other participating states.

Of the servicers which operate in rural areas, it is believed that most are mortgage bankers, mortgage brokers or exempt organizations.

Additionally, in the case of servicers that operate in rural areas and are not otherwise exempted, the Superintendent has the authority to reduce, waive or modify the financial responsibility requirements for individuals that do a de minimis amount of servicing.

Rural Area Participation.

Industry representatives have participated in outreach programs regarding regulation of servicers. The Department also maintains continuous contact with large segments of the servicing industry through its regulation of mortgage bankers and brokers. The Department likewise maintains close contact with a variety of consumer groups through its community outreach programs and foreclosure mitigation programs. In response to comments received regarding earlier versions of this regulation, the Department has modified the financial responsibility requirements. The revised requirements should generally be less burdensome for mortgage loan servicers, particularly smaller servicers and those located in rural areas.

Job Impact Statement

Article 12-D of the Banking Law, as amended by the Subprime Lending Reform Law (Ch. 472, Laws of 2008), requires persons and entities

which engage in the business of servicing mortgage loans to be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). This emergency regulation sets forth the application, exemption and approval procedures for registration as a Mortgage Loan servicer (MLS), as well as financial responsibility requirements for applicants, registrants and exempted persons. The regulation also establishes requirements with respect to changes of officers, directors and/or control of MLSs and provisions with respect to suspension, revocation, termination, expiration and surrender of MLS registrations.

The requirement to comply with the emergency regulations is not expected to have a significant adverse effect on jobs or employment activities within the mortgage loan servicing industry. Many of the larger entities engaged in the mortgage loan servicing business are already subject to oversight by the Department of Financial Services (formerly the Banking Department) and exempt from the new registration requirement. Additionally, the regulations give the Superintendent the authority to reduce, waive or modify the financial responsibility requirements for entities that do a de minimis amount of servicing.

The registration process itself should not have an adverse effect on employment. The regulations require the use of the internet-based National Mortgage Licensing System and Registry, developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. This system uses a common on-line application for servicer registration in New York and other participating states. It is believed that any remaining adverse impact would be due primarily to the nature and purpose of the statutory registration requirement rather than the provisions of the emergency regulations.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Registration and Financial Responsibility Requirements for Mortgage Loan Servicers

I.D. No. DFS-16-19-00009-A

Filing No. 601

Filing Date: 2019-07-01

Effective Date: 2019-07-17

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

Action taken: Addition of Part 418, Supervisory Procedures MB 109 and MB 110 to Title 3 NYCRR.

Statutory authority: Banking Law, art. 12-D

Subject: Registration and Financial Responsibility Requirements for Mortgage Loan Servicers.

Purpose: The rule implements provisions of the Subprime Lending Reform Law (ch. 472, Laws of 2008) amending article 12-D of the Banking Law to require that persons or entities which service mortgage loans on residential real property on or after July 1, 2009 be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). Part 418 sets forth application, exemption and approval procedures for registration as a mortgage loan servicer (MLS) and financial responsibility requirements for applicants, registrants and exempted persons. Supervisory Procedure MB 109 sets forth the details of the application procedure. Supervisory Procedure MB 110 sets forth the procedure for approval of a change of control of a registered MLS.

Substance of final rule: Section 418.1 summarizes the scope and application of Part 418. It notes that Sections 418.2 to 418.11 implement the requirement in Article 12-D of the Banking Law that certain mortgage loan servicers ("servicers") be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks), while Sections 418.12 and 418.13 set forth financial responsibility requirements that are applicable to both registered and exempt servicers. [Section 418.14 sets forth the transitional rules.]

Section 418.2 implements the provisions in Section 590(2)(b-1) of the Banking Law requiring registration of servicers and exempting mortgage bankers, mortgage brokers, and most banking and insurance companies, as well as their employees. Servicing loans made pursuant to the Power New York Act of 2011 is excluded. The Superintendent is authorized to approve other exemptions.

Section 418.3 contains a number of definitions of terms that are used in Part 418, including "Mortgage Loan", "Mortgage Loan Servicer", "Third Party Servicer" and "Exempted Person".

Section 418.4 describes the requirements for applying for registration as a servicer.

Section 418.5 describes the requirements for a servicer applying to open a branch office.

Section 418.6 covers the fees for application for registration as a servicer, including processing fees for applications and fingerprint processing fees.

Section 418.7 sets forth the findings that the Superintendent must make to register a servicer and the procedures to be followed upon approval of an application for registration. It also sets forth the grounds upon which the Superintendent may refuse to register an applicant and the procedure for giving notice of a denial.

Section 418.8 defines what constitutes a “change of control” of a servicer, sets forth the requirements for prior approval of a change of control, the application procedure for such approval and the standards for approval. The section also requires servicers to notify the Superintendent of changes in their directors or executive officers.

Section 418.9 sets forth the grounds for revocation of a servicer registration and authorizes the Superintendent, for good cause or where there is substantial risk of public harm, to suspend a registration for 30 days without a hearing. The section also provides for suspension of a servicer registration without notice or hearing upon non-payment of the required assessment. The Superintendent can also suspend a registration when a servicer fails to file a required report, when its surety bond is cancelled, or when it is the subject of a bankruptcy filing. If the registrant cures the deficiencies its registration can be reinstated. The section further provides that in all other cases, suspension or revocation of a registration requires notice and a hearing.

The section also covers the right of a registrant to surrender its registration, as well as the effect of revocation, termination, suspension or surrender of a registration on the obligations of the registrant. It provides that registrations will remain in effect until surrendered, revoked, terminated or suspended.

Section 418.10 describes the power of the Superintendent to impose fines and penalties on registered servicers.

Section 418.11 sets forth the requirement that applicants demonstrate five years of servicing experience as well as suitable character and fitness.

Section 418.12 covers the financial responsibility and other requirements that apply to applicants for servicer registration, registered servicers and exempted persons (other than insured depository institutions to which Section 418.13 applies). The financial responsibility requirements include a required net worth (as defined in the section) of at least \$250,000 plus 1/4 % of total loans serviced or, for a Third Party Servicer, 1/4 of 1% of New York loans serviced; (2) a corporate surety bond of at least \$250,000 and (3) a Fidelity and E&O bond in an amount that is based on the volume of New York mortgage loans serviced, with a minimum of \$300,000.

The Superintendent is empowered to waive, reduce or modify the financial responsibility requirements for certain servicers who service an aggregate amount of loans not exceeding \$4,000,000.

Section 418.13 exempts from the otherwise applicable net worth and surety bond requirements, but not the Fidelity and E&O bond requirements, entities that are subject to the capital requirements applicable to insured depository institutions and that are considered at least adequately capitalized.

Section 418.14 provides a transitional period for registration of mortgage loan servicers. A servicer doing business in this state on June 30, 2009 which files an application for MLS registration by July 31, 2009 will be deemed in compliance with the registration requirement until notified that its application has been denied. A person who is required to register as a servicer solely because of the changes in the provisions of the rule regarding use of third party servicers which became effective on August 23, 2011 and who files an application for registration within 30 days thereafter will not be required to register until six months from the effective date of the amendment or until the application is denied, whichever is earlier.

Section 109.1 defines a number of terms that are used in the Supervisory Procedure.

Section 109.2 contains a general description of the process for registering as a mortgage loan servicer (“servicer”) and contains information about where the necessary forms and instructions may be found.

Section 109.3 lists the documents to be included in an application for servicer registration, including the required fees. It also sets forth the execution and attestation requirements for applications. The section makes clear that the Superintendent of Financial Services (formerly the Superintendent of Banks) can require additional information or an in person conference, and that the applicant can submit additional pertinent information.

Section 109.4 describes the information and documents required to be submitted as part of an application for registration as a servicer. This includes various items of information about the applicant and its regulatory history, if any, information demonstrating compliance with the applicable financial responsibility and experience requirements, information

about the organizational structure of the applicant, and other documents, such as fingerprint cards and background reports.

Section 110.1 defines a number of terms that are used in the Supervisory Procedure.

Section 110.2 contains a general description of the process for applying for approval of a change of control of a mortgage loan servicer (“servicer”) and contains information about where the necessary forms and instructions may be found.

Section 110.3 lists the documents to be included in an application for approval of a change of control of a servicer, including the required fees. It sets forth the time within which the Superintendent of Financial Services (formerly the Superintendent of Banks) must approve or disapprove an application. It also sets forth the execution and attestation requirements for applications. The section makes clear that the Superintendent can require additional information or an in person conference, and that the applicant can submit additional pertinent information. Last, the section lists the types of changes in a servicer’s operations resulting from a change of control which should be notified to the Department of Financial Services (formerly the Banking Department).

Section 110.4 describes the information and documents required to be submitted as part of an application for approval of a change of control of servicer. This includes various items of information about the applicant and its regulatory history, if any, information demonstrating continuing compliance with the applicable financial responsibility and experience requirements, information about the organizational structure of the applicant, a description of the acquisition and other documents regarding the applicant, such as fingerprint cards and background reports.

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 418.3(d), 418.4(a), 418.9(b)(2), MB110.1(d), MB110.4(h)(1), (5), (i) and (4).

Text of rule and any required statements and analyses may be obtained from: George Bogdan, Esq., Department of Financial Services, One State Street, New York, NY 10004, (212) 480-4758, email: george.bogdan@dfs.ny.gov

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

A revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement are not required for the adoption of Part 418, MB109 and MB 110 because the non-substantive revisions to the regulation do not require a change to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Part 418 was only revised to correct errors in two statutory citations. MB110 was only revised to correct one misspelled word and various errant punctuation marks and spacing errors. No changes were made to MB 109.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2022, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Patients’ Bill of Rights

I.D. No. HLT-29-19-00020-P

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

Proposed Action: Amendment of sections 405.7 and 751.9 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 2803

Subject: Patients’ Bill of Rights.

Purpose: To protect D&TC patients against unknowingly receiving care from out-of-network providers, resulting in surprise medical bills.

Text of proposed rule: Paragraph (10) of subdivision (c) of section 405.7 of Title 10 is amended to read as follows:

(10) Receive all the information you need to give informed consent

for an order not to resuscitate. You also have the right to designate an individual to give this consent for you if you are too ill to do so. If you would like additional information, please ask for a copy of the pamphlet “[Do Not Resuscitate Orders] *Deciding About Health Care - A Guide for Patients and Families.*”

Subdivision (l) of section 751.9 is amended to read as follows:

(l) express complaints about the care and services provided and to have the center investigate such complaints. The center is responsible for providing the patient or his/her designee with a written response within 30 days if requested by the patient indicating the findings of the investigation. The center is also responsible for notifying the patient or his/her designee that if the patient is not satisfied by the center response, the patient may complain to the New York State Department of [Health’s Office of Health Systems Management] *Health*;

Subdivisions (p) and (q) of section 751.9 are amended, and new subdivisions (r) and (s) are added to read as follows:

(p) authorize those family members and other adults who will be given priority to visit consistent with your ability to receive visitors; [and]

(q) when applicable, make known your wishes in regard to anatomical gifts. Persons sixteen years of age or older may document their consent to donate their organs, eyes and/or tissues, upon their death, by enrolling in the NYS Donate Life Registry or by documenting their authorization for organ and/or tissue donation in writing in a number of ways (such as health care proxy, will, donor card, or other signed paper). The health care proxy is available from the center[.];

(r) view a list of the health plans and the hospitals that the center participates with; and

(s) receive an estimate of the amount that you will be billed after services are rendered.

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 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 the purposes and provisions of PHL Article 28 and to establish minimum standards governing the operation of health care facilities.

PHL § 24 requires diagnostic and treatment centers (D&TCs) to disclose the health care plans in which they are participating providers and the hospitals with which they are affiliated; and it also requires D&TCs to make available estimates of the amounts patients will be billed.

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.

PHL § 24 is intended to protect D&TCs patients against unknowingly receiving care from out-of-network providers, resulting in surprise medical bills.

Needs and Benefits:

Under PHL § 24, D&TCs patients have the right to receive information regarding the health plans and the hospitals that the center participates with and an estimate of the amount that the patient will be billed after services are rendered. The purpose of this disclosure is to ensure that patients have the information that they need to make decisions about their healthcare and to protect themselves against receiving unexpected bills. This proposed regulation revises the D&TCs Patients’ Bill of Rights to inform patients of their rights under PHL § 24 by adding new subdivisions (r) and (s) to 10 NYCRR § 751.9. The proposed regulation mirrors similar provisions in the Patients’ Bill of Rights applicable to general hospitals under 10 NYCRR 405.7.

The proposed amendment to Section 405.7 reflects a change to the Department publication that patients can request to provide them with additional information regarding medical decision-making, resuscitation, health care proxies and other end-of-life decision-making. This information was updated to implement the Family Health Care Decisions Act, effective in 2010. This regulation amendment will bring the regulations into conformance with the current Department publications.

The amendment to Section 751.9(l) deletes a reference to a Department office that has been renamed.

Costs:

Costs to Private Regulated Parties:

This amendment is a clarification of rights that patients already have in New York State. D&TCs will incur minimal costs to change the Patients’ Bill of Rights made available to patients. D&TCs may also need to update training materials for staff.

Costs to Local Government:

This proposal will not impact local governments unless they operate a general hospital or D&TCs, in which case the impact would be the same as outlined above for private parties.

Costs to the Department of Health:

The proposed regulatory changes will not result in any additional operational costs to the Department of Health, other than to provide for translations of the newly updated Bills of Rights.

Costs to Other State Agencies:

The proposed regulatory changes will not result in any additional costs to other state agencies.

Local Government Mandates:

The proposed regulations do not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

Paperwork:

D&TCs are already required to make the Patients’ Bill of Rights available to patients. Therefore, the proposed regulations should not increase their paperwork.

Duplication:

There are no relevant State regulations which duplicate, overlap or conflict with the proposed regulations.

Alternatives:

The alternative would be to take no action, which would result in a lack of consistency between PHL § 24 and the Patients’ Bill of Rights.

Federal Standards:

The proposed regulations do not duplicate or conflict with any federal regulations.

Compliance Schedule:

The regulations will be effective upon publication of a Notice of Adoption in the New York State Register.

Regulatory Flexibility Analysis

Effect of Rule:

The proposed regulation will apply to all diagnostic and treatment centers (D&TCs) in New York State. This proposal will not impact local governments or small business unless they operate a general hospital or D&TCs. In such case, the flexibility afforded by the regulations is expected to minimize any costs of compliance as described below.

Compliance Requirements:

These regulations will require D&TCs to change their Patients’ Bill of Rights.

Professional Services:

This proposal will not require any additional use of professional services.

Compliance Costs:

Compliance costs are minimal, as they only require editing and reprinting the Patients’ Bill of Rights.

Economic and Technological Feasibility:

This proposal is economically and technically feasible.

Minimizing Adverse Impact:

The anticipated impact of the proposal is minimal. D&TCs are already required to make the Patients’ Bill of Rights available to patients.

Small Business and Local Government Participation:

Organizations that include D&TCs as members were consulted on the proposed regulations. Additionally, the proposed regulation will have a 60-day public comment period.

Cure Period:

Chapter 524 of the Laws of 2011 requires agencies to include a “cure period” or other opportunity for ameliorative action to prevent the imposition of penalties on a party subject to enforcement when developing a regulation or explain in the Regulatory Flexibility Analysis why one is not included. As this proposed regulation does not create a new penalty or sanction, no cure period is necessary.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

This rule applies uniformly throughout the state, including rural areas. Rural areas are defined as counties with a population less than 200,000 and counties with a population of 200,000 or greater that have towns with population densities of 150 persons or fewer per square mile. The following 43 counties have a population of less than 200,000 based upon the United States Census estimated county populations for 2010 (<http://quickfacts.census.gov>). Approximately 17% of small health care facilities are located in rural areas.

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

The following counties have a population of 200,000 or greater and towns with population densities of 150 persons or fewer per square mile. Data is based upon the United States Census estimated county populations for 2010.

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

There are approximately 90 diagnostic and treatment centers (D&TCs) in rural areas.

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

The proposed regulation is applicable to those D&TCs located in rural areas and is expected to impose minimal costs, because regulated facilities are already required to make the Patients' Bill of Rights available to patients. Because the proposed regulatory requirements can be incorporated into existing processes, they are not expected to increase the administrative burden on these entities.

Costs:

D&TCs are already required to post the Patients' Bill of Rights in areas that are highly visible to patients. The cost of the small wording change to the Patients' Bill of Rights will be insubstantial.

Minimizing Adverse Impact:

The impact is minimal.

Rural Area Participation:

Organizations that include as members general hospitals and D&TCs located in rural areas were consulted on the proposed regulations.

Job Impact Statement

No job impact statement is required pursuant to section 201-a(2)(a) of the State Administrative Procedure Act. No adverse impact on jobs and employment opportunities is expected as a result of these proposed regulations.

Office of Mental Health

NOTICE OF ADOPTION

Establish Standards for Providers Who Wish to Become Licensed Children's Mental Health Rehabilitation Programs

I.D. No. OMH-08-19-00005-A

Filing No. 606

Filing Date: 2019-07-02

Effective Date: 2019-07-17

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

Action taken: Renumbering of Part 511 to Subpart 511-1; and addition of Subpart 511-2 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.09, 31.04, 43.02; Social Services Law, sections 364(3), 364-a(1) and 364-j

Subject: Establish standards for providers who wish to become licensed Children's Mental Health Rehabilitation programs.

Purpose: The Children's Mental Health Rehabilitation Program (CMHRS) is a vehicle for implementing the new State Plan services.

Substance of final rule: The Children's Mental Health Rehabilitation Program (CMHRS) is an outgrowth of the Children's Medicaid Redesign efforts. From this effort, a new array of children's behavioral health services was designed to better meet the needs of children and their families. As a result, the OMH developed the CMHRS program as a vehicle for the implementation of the new State Plan services for children with mental health needs. Providers who become licensed as a CMHRS program will be responsible for the provision and coordination of five of the new State Plan services, including: Other Licensed Practitioner, Community Psychiatric Supports and Treatment, Psychosocial Rehabilitation, Family Peer Support, Services, and Youth Peer Support and Training.

This regulation provides a new licensure category for existing children's mental health providers or other interested service providers to become a CMHRS program. In addition, it establishes standard expectations and oversight parameters for all CMHRS program providers. The goal of the CMHRS program is to assist children and their families with significant mental health and behavioral needs function successfully within their homes and community, ameliorate mental health symptoms, and prevent the progression of mental health conditions by providing a coordinated array of clinical treatment, rehabilitative and support services.

The Proposed Rule Making was filed February 5, 2019 and appeared in the February 20, 2019 issue of the State Register on pages 10 - 11. The public comment period ended on April 21, 2019. As a result of public comment, a number of minor changes were made to better explain the intent of the regulation or the use of terminology. The changes made to the draft regulation were unsubstantial in nature and include the insertion of language for clarification or consistency. This included adding language to, clarify the regulation's applicability only to providers serving the mental health population; clarify the terms for "age of majority" and the definition of "child;" include the term "gender identity" in reference to protected classes; and the modification of language that was unclear regarding the reference to services that may be offered by providers as optional. The changes also deleted an outdated term ("local and unified services plan") and inserted a reference to 527.4 Communication Needs regarding to individuals' rights.

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 511-2.3, 511-2.4, 511-2.5, 511-2.9 and 511-2.10.

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

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

A revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement are not required because the changes made to the last published rule do not necessitate revision to the previously published documents. The changes to the text are not substantial, do not change the meaning of any provision and therefore do not change any statements in the documents.

Initial Review of Rule

As a rule that requires a Regulatory Flexibility Analysis, Rural Area Flexibility Analysis or Job Impact Statement, this rule will be initially reviewed in the calendar year 2022, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The Office of Mental Health has received public comments from two stakeholder entities, including two local government units. All comments were reviewed, assessed and taken into consideration. Below is the response to each comment presented.

§ 511-2.3 Applicability

Comment: In alignment with how the State has been designating CFTSS providers by service population, we recommend that proposed regulations specify that these regulations apply only to the providers who wish to provide the CMHRS program to the general mental health population.

Response: The proposed regulation has been amended to include "for the mental health population" within 511-2.3 Applicability.

Comment: Additionally, we encourage the State to explicitly state that any provider wishing to provide the CMHRS program must obtain the CMHRS license regardless of whether they have an Article 31 license or have been previously designated by New York State.

Response: This explanation will be addressed in guidance and informational materials. There are no changes to the proposed regulation to address this comment.

§ 511-2.4 Definitions

Comment: We recommend that references to age be consistent throughout the proposed regulations and align with external documents such as the CFTSS Provider Manual which defines “child/adolescent/youth” as an “individual under age 21” (See Medicaid State Plan Children and Family Treatment and Support Services Provider Manual for children’s Behavioral Health Early and Periodic Screening and Diagnostic Treatment (EPSDT) Services, Section VII. Appendices, Part A: Glossary of Terms, p88). For example, § 511-2.7 refers to individuals under the age of 21.

Response: The proposed regulation has been amended. The definition of “Child” has been changed to “an individual under the age of 21.”

§ 511-2.5 Service Categories and Requirements

Comment: Page 5 – 511-2.5 a – Am I correct in understanding this status could be granted to a group of designated providers under one administrative entity such as an IPA?

Response: No. A license will be issued to one designated provider agency. A group of designated providers will not be licensed under one Operating Certificate. There are no changes to the proposed regulation to address this comment.

§ 511-2.60 Certification

Comment: We recommend that the State clarify whether the CMHRS license and State designation are both required for providers to be CMHRS programs. We encourage the State to consider avoiding redundant application processes and ensure that if both are needed that they be designed to complement one another to avoid being duplicative.

Response: The recommendation will be addressed in guidance. There are no changes to the proposed regulation to address this comment.

§ 511-2.7 Program Operations

Comment: Page 8 – 511-2.7 a(4) – admission cannot be denied solely on the basis of multiple disorders. Does this include IDD?

Response: Yes. A child must meet criteria as outlined in Section 511-2.7(a)(1) of the proposed regulation for a CMHRS service. There are no changes to the proposed regulation to address this comment.

Comment: Page 9 – 511-2.7 a(6) – “shall not use coercion” – does this include orders and conditions of Probation?

Response: The proposed regulation does not impact the role of Probation; it refers to providers of service not using coercion. There are no changes to the proposed regulation to address this comment.

Comment: Page 9 511-2.7 b(1) – “shall continuously have an adequate staff” – in light of the current statewide workforce shortage – is this reasonable?

Response: Yes. This is standard language specific to adequately serving youth who are admitted into a CMHRS program. There are no changes to the proposed regulation to address this comment.

Comment: Page 9 511-2.7b(3) – qualifications for supervisor?

Response: Please see 511-2.7(b)(5) of the proposed regulation which states “Staffing shall be provided in accordance with required qualifications outlined in the Medicaid State Plan Children and Family Treatment and Support Services Provider Manual...” wherein supervisor qualifications are specified. There are no changes to the proposed regulation to address this comment.

§ 511-2.8 Treatment Planning

Comment: Page 10 511 – 2.7(d) – MCO approvals?

Response: The reference cited on page 10 appears to be that which is 511-2.8(d). The proposed regulation does not address requirements of Managed Care Organizations. There are no changes to the proposed regulation to address this comment.

Comment: We suggest including information about who would be responsible for a treatment plan if a child is no longer in need of OLP or CPST services but is still receiving one of the other services that is not provided directly by the CMHRS (e.g. PSR, FPSS, or YPST). Clarity is needed to determine whether the CMHRS program still be responsible for the treatment plan if a child no longer needs OLP or CPST, but these other CFTSS services remain appropriate.

Response: The proposed regulation is intended to address minimum standards imposed on providers and does not address the range of organizational and provider agreement variations that may exist, nor operational circumstances that may arise. Responsibility for treatment planning will be further addressed in guidance. There are no changes to the proposed regulation to address this comment.

Comment: Page 11 511-2.9(b) – What is meant by “proper exchange of information”? – releases only.

Response: Please see 511-2.9(d)(16) of the proposed regulation which refers to information in case records being subject to the confidentiality Protections of Mental Hygiene Law section 33.13, Public Health Law Article 27-F, and 42 CFR part 2. There are no changes to the proposed regulation to address this comment.

Comment: Page 12 511 -2.9(15) – Confusing, age of majority – is that considered to be 18 or 21, given the services may be provided up to age 21.

Response: The ‘age of majority’ is 18 years. The proposed regulation has been amended to include the age for clarification.

Comment: Page 12 511 2.9(16) – “unified services plan” – as a former Unified Services County, I had thought this phrase is no longer used, or legal. Later in this paragraph, there is reference of protected information – Reproductive health is not listed.

Response: The proposed regulation has been amended to remove “local or unified services plan.” It is not required that reproductive health be specifically referenced in 511-2.9(d)(16); any reference to reproductive health within the case record is covered by Mental Hygiene Law 33.13.

§ 511-2.10 Organization and administration

Comment: (a) Clarification is needed regarding the establishment of the governing body. For example, if an agency applying for a CMHRS program license has an existing governing body, clarity is needed to determine whether a new governing body is needed to be responsible specifically for the operation of the CMHRS program.

Response: The proposed regulation is silent on this issue and therefore does not regulate that a distinct governing body is needed, which may lessen the burden on small programs. There are no changes to the proposed regulation to address this comment.

Comment: (c)(5) We support the requirement for CMHRS programs to design and operate services consistent with and appropriate for the ethnic and cultural background of the population being served. In addition to general provider cultural competency, we encourage OMH to require comprehensive cultural competency training standards that not only incorporate awareness of a clients’ cultural background, but also the incorporation of awareness about cultural groups’ experiences of oppression. We recommend using the National Association of Social Worker’s (NASW) definition and standards for cultural competence in the NASW Code of Ethics (Section 1.05). This awareness of experiences of oppression is of critical importance given the inherent power dynamics between service providers, recipients and their communities.

Response: Detailed standards will be provided through guidance but will not reference standards for specific professionals. There are no changes to the proposed regulation to address this comment.

Comment: To further emphasize the importance of including individuals’ representative of those being served as well as the general community members, we encourage OMH to slightly modify the wording in this provision. Currently, the regulations state that the governing body “can include ethnic representation on the staff and board and inclusion of culturally and ethnically relevant content in service programs.” We recommend that this language be modified to say “should include ethnic representation on the staff and board and inclusion of culturally and ethnically relevant content in service programs that is reflective of the community being served.”

Response: Could is the simple past tense of can. Can implies possibility. Should is the simple past tense of shall. Shall implies obligation or compulsion. The proposed regulation is intended to address minimum standards imposed on providers. This will be further addressed through guidance. There are no changes to the proposed regulation to address this comment.

Comment: (c7)(viii) We recommend adding “gender identity” to this provision as there is professional consensus among the fields of psychology, psychiatry and social work that sexual orientation is not inclusive of gender identity.

Response: The proposed regulation has been revised to include “gender identity” in reference to protected classes within 511-2.10(7)(viii).

Comment: Page 15 511 2.10(8) – Does this include SUD diagnoses and IDD?

Response: Yes, this may include SUD diagnoses or IDD in reference to a co-occurring non-mental health diagnosis. There are no changes to the proposed regulation to address this comment.

Comment: Page 18 511 2.13 – Can the offices be shared with other programs?

Response: It is expected that CMHRS will be provided in off-site, community-based locations. The use of site-based space should be considered on an individualized, as needed basis in settings conducive to the service and population. The proposed regulation does not stipulate nor exclude the sharing of space with other programs. This will be further addressed in guidance. There are no changes to the proposed regulation to address this comment.

§ 511-2.11 Individual Rights

Comment: (a)(II) Consistent with the NYS DOH Patients’ Rights in New York State document, we recommend that these regulations require the CMHRS Notice of Individuals’ Rights be made available to children/families who speak languages other than English or who have limited English proficiency. For language translation, we recommend that the State or providers of the CMHRS services have translations easily accessible in languages that best reflect the population being served.

Response: The proposed regulation has been amended to reference to 527.4 Communication Needs in addition to 527.5.

§ 511-2.12 Medicaid Reimbursement

Comment: We request clarification be provided regarding whether the rates mentioned in this section will apply to managed care and fee-for-service.

Response: Currently the rates apply to both Managed Care and Fee for Service. There are no changes to the proposed regulation to address this comment.

Office for People with Developmental Disabilities

NOTICE OF ADOPTION

Transportation of Female Patients at OPWDD Facilities

I.D. No. PDD-18-19-00002-A

Filing No. 605

Filing Date: 2019-07-02

Effective Date: 2019-07-17

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

Action taken: Repeal of section 17.7 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 13.07, 13.09(b), 13.15(a) and 16.00

Subject: Transportation of female patients at OPWDD facilities.

Purpose: To repeal language no longer consistent with statute.

Text or summary was published in the May 1, 2019 issue of the Register, I.D. No. PDD-18-19-00002-P.

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

Text of rule and any required statements and analyses may be obtained from: Bureau of Policy and Regulatory Affairs, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., 3rd Fl., Albany, NY 12229, (518) 474-7700, email: rau.unit@opwdd.ny.gov

Assessment of Public Comment

The agency received no public comment.

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Compensation for Distributed Energy Resources

I.D. No. PSC-29-19-00018-P

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

Proposed Action: The Commission is considering tariff amendments filed by Con Edison to enable New York Power Authority customers to receive Value Stack compensation for generation by eligible distributed energy resources.

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

Subject: Compensation for distributed energy resources.

Purpose: To establish rules for NYPA customer participation in the Value of Distributed Energy Resources program.

Substance of proposed rule: The Public Service Commission is considering tariff amendments filed by Consolidated Edison of New York, Inc. (Con Edison), on June 18, 2019, to enable New York Power Authority (NYPA) customers to receive Value Stack compensation for generation by eligible distributed energy resources (DERs).

The amendments affect both Con Edison's Schedule for Electricity Service, P.S.C. No. 10-Electricity (the Electric Tariff) and Con Edison's Schedule for PASNY Delivery Service, P.S.C. No. 12-Electricity (the PASNY Tariff). The amendments have a proposed effective date of November 1, 2019. Con Edison explains that the modifications are consistent with discussions with NYPA, certain NYPA customers, and Department of Public Service Staff. Con Edison states that the tariff filing would implement, in the PASNY Tariff, the rules contained within its Electric Tariff for Value Stack Remote Net Metering and On-Site crediting, but not the rules for Community Distributed Generation (CDG) due to the current CDG program design.

The tariff filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the 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: Kathleen H. Burgess, 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.

(19-E-0464SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Transfer of Street Lighting Facilities

I.D. No. PSC-29-19-00019-P

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

Proposed Action: The Public Service Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid for authority to transfer to the City of Syracuse the company-owned street lighting facilities located in the City.

Statutory authority: Public Service Law, sections 5, 65, 66 and 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To determine whether to transfer street lighting facilities and the proper accounting for the transaction.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on June 24, 2019 by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), requesting approval to transfer to the City of Syracuse, New York (City) certain street lighting facilities located in the City.

Based on plant records, National Grid states that the original book cost of the facilities is approximately \$23,798,205 and the net book value, as of December 31, 2018, is \$14,500,928. National Grid proposes to transfer the street lighting facilities to the City for approximately \$14,954,639. National Grid explains that the agreement between it and the City provides that National Grid will calculate the actual net book value of the assets to be transferred at the time of closing and will adjust (up or down) the estimated purchase price to arrive at the final purchase price.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: 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: Kathleen H. Burgess, 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.

(19-E-0468SP1)

Department of State

EMERGENCY/PROPOSED RULE MAKING HEARING(S) SCHEDULED

New York State Uniform Fire Prevention and Building Code (the Uniform Code)

I.D. No. DOS-29-19-00015-EP

Filing No. 600

Filing Date: 2019-07-01

Effective Date: 2019-07-01

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

Proposed Action: Amendment of sections 1220.1(b), 1221.1(b), 1225.1(b) and 1227.1(b) of Title 19 NYCRR.

Statutory authority: Executive Law, section 377

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

Specific reasons underlying the finding of necessity: The State Fire Prevention and Building Code Council ("Code Council") and the Department of State have determined that immediate adoption of this rule on an emergency basis, as authorized by Section 202(6) of the State Administrative Procedure Act, is necessary to protect public safety and general welfare, and that compliance with the requirements of subdivision one of section 202 of the State Administrative Procedure Act prior to the adoption of this rule would be contrary to the public interest, for the following reasons:

(1) The New York State Uniform Fire Prevention and Building Code ("Uniform Code"), which is adopted pursuant to Article 18 of the Executive Law and which is applicable in all parts of the State (except New York City, which has its own building code), does not currently have provisions that provide an adequate level of protection from the hazards of fire that could be caused by the installation and use of Energy Storage Systems (ESS).

(2) Regulated parties are expressing immediate and increasing interest in installing ESS as a means of storing electrical energy for use when and where it is most needed.

(3) A rule amending the Uniform Code to add provisions establishing requirements for safe installation and use of ESS is necessary.

(4) Developing, proposing, adopting, and implementing such a rule in compliance with the requirements of State Administrative Procedure Act section 202(1) would delay the effective date of the rule, and may result in unsafe installations in the meantime.

(5) Adopting such a rule as an emergency rule, to be effective immediately upon the filing of the Notice of Emergency Adoption and Proposed Rule Making is necessary to protect public safety and general welfare.

Subject: New York State Uniform Fire Prevention and Building Code (the Uniform Code).

Purpose: The purpose of this rule is to amend 19 NYCRR Parts 1220, 1221, 1225, and 1227, by incorporating by reference a publication entitled the "2019 Energy Storage System Supplement" (publication date June 2019) which adds provision to the New York State Uniform Fire Prevention and Building Code relating to the installation, use, and maintenance of Energy Storage Systems. Ensuring a minimum level of safety of such systems in buildings is a critical part of protecting the public, building occupants, and emergency responders.

Public hearing(s) will be held at: 10:00 a.m., Sept. 16, 2019 at Department of State, 99 Washington Ave., Rm. 505, Albany, NY.

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.

Text of emergency/proposed rule: 1. Subdivision (b) of section 1220.1 of

Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended to read as follows:

(b) For the purposes of applying the 2015 IRC in New York State, the 2015 IRC shall be deemed amended in the manner specified in (1) the publication entitled 2017 Uniform Code Supplement, publication date July, 2017, published by New York State Department of State and (2) the publication entitled 2019 Energy Storage System Supplement, publication date June, 2019, published by New York State Department of State. Said [publication] publications (hereinafter referred to as the "2017 supplement" and the "2019 ESS supplement," respectively) [is] are incorporated herein by reference. Copies of the 2017 supplement and the 2019 ESS supplement may be obtained and are available for inspection and copying at:

New York State Department of State of New York
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

2. Subdivision (b) of section 1221.1 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended to read as follows:

(b) For the purposes of applying the 2015 IBC in New York State, the 2015 IBC shall be deemed amended in the manner specified in (1) the publication entitled 2017 Uniform Code Supplement, publication date July, 2017, published by the New York State Department of State and (2) the publication entitled 2019 Energy Storage System Supplement, publication date June, 2019, published by New York State Department of State. Said [publication] publications (hereinafter referred to as the "2017 supplement" and the "2019 ESS supplement," respectively) [is] are incorporated herein by reference. Copies of the 2017 supplement and the 2019 ESS supplement may be obtained and are available for inspection and copying at:

New York State Department of State of New York
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

3. Subdivision (b) of section 1225.1 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended to read as follows:

(b) For the purposes of applying the 2015 IFC in New York State, the 2015 IFC shall be deemed amended in the manner specified in (1) the publication entitled 2017 Uniform Code Supplement, publication date July, 2017, published by the New York State Department of State and (2) the publication entitled 2019 Energy Storage System Supplement, publication date June, 2019, published by the New York State Department of State. Said [publication] publications (hereinafter referred to as the "2017 supplement" and the "2019 ESS supplement," respectively) [is] are incorporated herein by reference. Copies of the 2017 supplement and the 2019 ESS supplement may be obtained and are available for inspection and copying at:

New York State Department of State of New York
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

4. Subdivision (b) of section 1227.1 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended to read as follows:

(b) For the purposes of applying the 2015 IEBC in New York State, the 2015 IEBC shall be deemed amended in the manner specified in (1) the publication entitled 2017 Uniform Code Supplement, publication date July, 2017, published by the New York State Department of State and (2) the publication entitled 2019 Energy Storage System Supplement, publication date June, 2019, published by the New York State Department of State. Said [publication] publications (hereinafter referred to as the "2017 supplement" and the "2019 ESS supplement," respectively) [is] are incorporated herein by reference. Copies of the 2017 supplement and the 2019 ESS supplement may be obtained and are available for inspection and copying at:

New York State Department of State of New York
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire September 28, 2019.

Text of rule and any required statements and analyses may be obtained from: Jeffrey Hinderliter, Department of State, 99 Washington Avenue, Suite 1160, Albany, NY 12231, (518) 486-9530, email: jeffrey.hinderliter@dos.ny.gov

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

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

Additional matter required by statute: The State Fire Prevention and Building Code Council (“Code Council”) and the Department of State have determined that making this rule and the amendments to the New York State Uniform Fire Prevention and Building Code (the “Uniform Code”) made by this rule effective immediately upon the filing of the Notice of Emergency Adoption and Proposed Rule Making, as authorized by Executive Law § 378(18)(a)(i), is necessary to protect health, safety, and security, for the following reasons:

(1) The Uniform Code, which is adopted pursuant to Article 18 of the Executive Law and which is applicable in all parts of the State (except New York City, which has its own building code), does not currently have provisions that provide an adequate level of protection from the hazards of fire that could be caused by the installation and use of Energy Storage Systems (ESS).

(2) Regulated parties are expressing immediate and increasing interest in installing ESS as a means of storing electrical energy for use when and where it is most needed.

(3) A rule amending the Uniform Code to add provisions establishing requirements for safe installation and use of ESS is necessary.

(4) Developing, proposing, adopting, and implementing such a rule to become effective at least ninety days after the date on which notice of such change has been published in the State Register would delay the effective date of the rule, and may result in unsafe installations in the meantime.

(5) Adopting such a rule as an emergency rule, to be effective immediately upon the filing of the Notice of Emergency Adoption and Proposed Rule Making is necessary to protect health, safety, and security.

Regulatory Impact Statement

1. STATUTORY AUTHORITY

This rule amends the New York State Uniform Fire Prevention and Building Code (“Uniform Code”) by adding new provisions relating to the installation, use, and maintenance of energy storage systems (“ESS”). This rule is adopted by the State Fire Prevention and Building Code Council (“Code Council”), a council established by Article 18 of the Executive Law.

The statutory authority for this rule is Executive Law § 377(1), which authorizes the Code Council to formulate the Uniform Code and, from time to time, to amend particular provisions of the Uniform Code.

2. LEGISLATIVE OBJECTIVES

Executive Law § 371(2) provides that it is the public policy of the State of New York to provide for the promulgation of a Uniform Code addressing building construction and fire prevention in order to provide a basic minimum level of protection to all people of the state from hazards of fire and inadequate building construction. Executive Law § 371(2) further provides that in providing for such Uniform Code, it is the policy of this State to reconcile the myriad existing and potentially conflicting regulations which apply to different types of buildings and occupancies; to place public and private buildings on an equal plane with respect to fire prevention and adequacy of building construction; to require new and existing buildings alike to keep pace with advances in technology concerning fire prevention and building construction; and to provide protection to both residential and non-residential buildings.

The Legislative objectives sought to be achieved by this rule are to provide an enhanced level of protection to the people of this State from the hazards of fire and inadequate building construction and to require buildings in this State to keep pace with advances in technology concerning fire prevention and building construction. These objectives will be achieved by adding new provisions to the Uniform Code that will provide requirements for the installation of ESS, which are part of an emerging industry in New York. These new provisions will require extra protective measures in all cases where ESS are used; require extra protective measures based on the location of the installation; and otherwise enhance the level of protection to all people of the State from the potential hazard of fires caused by the installation and use of ESS.

3. NEEDS AND BENEFITS

This rule will amend the Uniform Code to add new provisions relating to specific construction and safety requirements to address the hazard of fires associated with the increased use of lithium-ion batteries, capacitors, and other modern ESS. This rule will define the term “energy storage system” as one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time.

As New York’s grid becomes smarter and more decentralized, energy storage will be deployed to store and dispatch energy when and where it is most needed. New York has ambitious energy storage goals to meet over the next 10 years, the largest of any state in the country. Installation of ESS will increase at an unprecedented rate to meet the target of 3,000 MW, the equivalent electric demand of 40% of all New York State homes, by 2030. This is double the near-term target (1,500 MW by 2025) set in the New York State Energy Storage Roadmap.¹ To be successful, it is imperative that these systems are installed in a safe and responsible manner.

Just one tragic event, like the April 19, 2019 explosion at the McMicken Energy Storage facility in Arizona,² could slow progress for years to come.

As intermittent renewable power sources like wind and solar provide a larger portion of New York’s electricity, energy storage will be used to time-shift renewable generation and minimize curtailment. Many of the large-scale ESS needed to achieve these goals will be installed in remote locations, often collocated with the large-scale wind and solar energy resources they support. For these rural locations, outdoor remote systems that are in dedicated use buildings will often be located near the energy resources they support. Remote outdoor installations do not represent the same level of risk to surrounding properties and occupants that an urban or indoor ESS would pose.

In urban areas where space is at a premium, load-constrained places would be working to reduce peak demand on the grid by installing ESS near load sources. These urban installations can potentially be inside buildings or parking garages or on rooftops. Each of these scenarios poses its own unique risks, including a greater risk to human safety in occupied buildings due to the potential of the structure of the building itself becoming involved in a fire, and the risk of exposure of occupants to toxic or explosive gases in the event of a system malfunction, depending on the type of ESS that is used.

In addition to permanent installations, walk-in ESS units can be deployed in a mobile operation, allowing them to be transported over the road and deployed at locations where additional energy storage is needed. The need can vary from a temporary power need due to a natural disaster or to accommodate a temporary outage at an existing facility due to renovations. Walk-in ESS units also have the potential to be used for retrofitting existing facilities without the need to construct new dedicated use spaces or heavily modify an existing structure to accommodate an indoor ESS. This adaptability allows these portable units to be used for both permanent installations and emergency power needs, making them a versatile solution.

When the Uniform Code was most recently updated in 2017, ESS were just beginning to be widely used. The current provisions of the Uniform Code, based on the 2015 editions of the model codes published by the International Code Council, Inc. (ICC), do not specifically address this new technology. As this technology has gained greater acceptance, the ICC model codes and industry referenced standards have been revised to adapt to the unique safety challenges ESS present. The combined effects of ESS technology becoming a key component to achieve New York’s energy sustainability goals, along with the availability of New York State Energy Research and Development Authority (NYSERDA) funding to help underwrite the achievement of these goals, has created the need for the Uniform Code to be updated in this emergency rule.

According to information contained on NYSEDA’s Distributed Energy Resources map³ and available data from NYSEDA,⁴ there are currently 51 installed ESS in New York (not including New York City) with a total storage capacity of 74,600 kWh⁵. 36 of these ESS are in private homes but only account for 500 kWh of storage. These residential systems are currently below both the 50 kWh commercial threshold and the 20 kWh residential threshold in the proposed rule. The proposed rule is needed to address the higher risks that are associated with the commercial and utility scale projects. According to NYSEDA, there are 240 proposed commercial and utility scale projects currently scheduled.

This change is necessary for New York State to remain competitive with the rest of the nation in matters involving building construction and to provide an adequate level of building safety to its residents. It is also necessary if New York State wishes to keep pace with evolving technology concerning fire prevention and building construction and to have a building and fire prevention code which is consistent with nationally accepted model codes. Adopting the proposed provisions of this rule allows New York to create a path forward that is safe for New Yorkers and creates the possibility of achieving our sustainability goals.

4. COSTS

There may be an initial cost increase associated with this rule. The initial cost increase could result when a proposed ESS either (1) has capacity greater than 50 kWh or (2) is designed to be placed less than 3 feet of each other and needs to undergo a large-scale fire test meeting the standard of UL 9540A (Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems).

UL 9540A tests the battery ESS on the cell level, module level, and unit level. Typical cell level and module level tests each cost within a range from \$30,000 to \$50,000. These costs are often paid for by the physical battery manufacturer rather than the ESS manufacturer. The ESS manufacturer often assembles the cells and modules into a proprietary unit, which they manufacture, market, and sell. These units, when exceeding 50 kWh, would be required to be tested. This unit level test would cost the unit manufacturer within the range of \$60,000 to \$80,000.

An additional cost increase could be realized by the requirement to install a gas detection system and automatic ventilation system. The need

for these systems will depend upon the type of ESS installed. According to NYSERDA, gas detectors can range from \$1,000 to \$5,000 per detector and a fully integrated detection and ventilation system can range from \$25,000 to \$50,000, which represents approximately 1% to 3% of the total ESS cost.

5. LOCAL GOVERNMENT MANDATES

This rule will not impose any new program, service, duty or responsibility upon any county, city, town, village, school district, fire district or other special district, except as follows:

First, any county, city, town, village, school district, fire district or other special district that constructs an ESS, or installs any such system in an existing building, will be required to comply with the provisions amended and/or added by this rule.

Second, most cities, towns and villages, and some counties, are responsible for administering and enforcing the Uniform Code; since this rule amends provisions in the Uniform Code, the aforementioned local governments will be responsible for administering and enforcing the requirements of the rule along with all other provisions of the Uniform Code.

It is anticipated that verifying compliance with this rule will add only a negligible amount to the already existing duties associated with reviewing permit applications and conducting inspections. In addition, because current provisions for permitting ESS are inadequate or non-existent, the clear guidelines included in this rule should make review and approval more streamlined.

The rule does not otherwise impose any new program, service, duty or responsibility upon any county, city, town, village, school district, fire district or other special district.

6. PAPERWORK

This rule will not impose any reporting requirements. No new forms or other paperwork will be required as a result of this rule.

7. DUPLICATION

The rule does not duplicate any existing Federal or State requirement.

8. ALTERNATIVES

It is the policy of the Department of State to modernize and amend the Uniform Code, so as to maintain consistency with the national model codes, to keep building practices in New York State consistent with practice nationally, and to incorporate new technical developments in a timely manner. The alternative of making no change to the Uniform Code provisions relating to ESS was considered. This alternative would rely on local municipalities to pass regulations regarding the safety of ESS. This will lead to a lack of uniformity and varying degrees of safety across the state, as well as confusion among manufacturers, installers and operators. For these reasons, this alternative was rejected.

The alternative of adopting code provisions for ESS from the 2018 edition of the ICC codes was considered. The proposed rule, which is based on the proposed 2021 edition of the ICC codes, incorporates enhanced safety considerations which the 2018 edition did not contain. With the potential for a rapid increase in installations, waiting to adopt the proposed 2021 edition of the model codes during the next code adoption cycle would mean systems could be installed without these enhanced safety considerations. For these reasons, this alternative was rejected.

9. FEDERAL STANDARDS

There are no standards of the Federal Government which address the subject matter of the rule.

10. COMPLIANCE SCHEDULE

This rule will become effective immediately upon filing. The Department of State anticipates that regulated persons will be able to achieve compliance with this rule in the normal course of operations, as part of the permitting or installation of an ESS.

¹ <https://www.nyserda.ny.gov/All-Programs/Programs/Energy-Storage/Energy-Storage-in-NYS>

² <https://www.greentechmedia.com/articles/read/aps-and-fluence-investigating-explosion-at-arizona-energy-storage-facility>

³ <https://der.nyserda.ny.gov/map/>

⁴ <https://der.nyserda.ny.gov/download/facility-metric/>

⁵ See <https://der.nyserda.ny.gov/overview/>. These sites have received funding by NYSERDA and provide performance data for display.

Regulatory Flexibility Analysis

1. EFFECT OF RULE:

This rule amends provisions in the Uniform Fire Prevention and Building Code (“Uniform Code”) to add new provisions relating to the installation, use, and maintenance of energy storage systems (“ESS”). The provisions add specific construction and safety requirements to address the hazard of fires associated with the increased use of lithium-ion batteries, capacitors, and other modern ESS. The new requirements provide for different types of installations and different types of ESS technologies in use

today. This rule is adopted by the State Fire Prevention and Building Code Council (the “Code Council”), a council established by Article 18 of the Executive Law. The Uniform Code is applicable in all areas of the State with the exception of the City of New York.

This rule has the potential to affect small business that own or operate buildings in all areas of the State except the City of New York. Small businesses that construct, own, or operate buildings or structures are subject to the provisions of the Uniform Code and therefore will be required to comply with this rule.

Since this rule amends provisions in the Uniform Code, each local government that is responsible for administering and enforcing the Uniform Code will be affected by this rule. The Department of State (DOS) estimates that approximately 1,600 local governments (mostly cities, towns and villages, as well as several counties) are responsible for administering and enforcing the Uniform Code. Local governments will be affected by this rule if the government constructs, owns, or operates structures that are subject to the provisions of the Uniform Code. In those circumstances, a local government is in no different situation than that of any building owner or operator, public or private. Therefore, adoption of this rule making will affect cities, towns, and villages of the State with the exception of the City of New York.

2. COMPLIANCE REQUIREMENTS:

No reporting or recordkeeping requirements are imposed upon regulated parties by the rule. Small businesses and local governments subject to the rule will be required to install ESS in accordance with the rule’s provisions. In most cases, such installation will be incidental to the construction of a building or will otherwise involve the issuance of a building permit; in such cases, the local government responsible for administering and enforcing the Uniform Code will be required to consider the requirements of this rule when reviewing plans and inspecting work.

3. PROFESSIONAL SERVICES:

The rule will add requirements into the Uniform Code to address safety hazards associated with the increased use of lithium-ion batteries, capacitors, and other modern ESS. The new requirements provide for different types of installations and different types of ESS technologies in use today. For some installations professional services will be required to comply with the rule. Depending on the capacity of the ESS a third-party peer review (registered design professional or special expert) may be required by the building owner. If the building owner is a small business or local government and the system meets a specific capacity the small business will need to retain the services of a professional service to provide a peer review of the installation of the ESS.

4. COMPLIANCE COSTS:

There may be an initial cost increase associated with this rule. The initial cost increase could result when a proposed energy storage system either (1) has capacity greater than 50 kWh or (2) is designed to be placed less than 3 feet of each other and needs to undergo a large-scale fire test meeting the standard of UL 9540A (Test Method for Evaluating Thermal Run-away Fire Propagation in Battery Energy Storage Systems).

UL 9540A tests the battery energy storage system on the cell level, module level, and unit level. Typical cell level and module level tests each cost within a range from \$30,000 to \$50,000. These costs are often paid for by the physical battery manufacturer rather than the energy storage system manufacturer. The energy storage system manufacturer often assembles the cells and modules into a proprietary unit, which they manufacture, market, and sell. These units, when exceeding 50 kWh, would be required to be tested. This unit level test would cost the unit manufacturer within the range of \$60,000 to \$80,000.

An additional cost increase could be realized by the requirement to install a gas detection system and automatic ventilation system. The need for these systems will depend upon the type of energy storage system installed. According to NYSERDA, gas detectors can range from \$1,000 to \$5,000 per detector and a fully integrated detection and ventilation system can range from \$25,000 to \$50,000, which represents approximately 1% to 3% of the total energy storage system cost.

Compliance with this rule will occur when ESS is initially installed; therefore, it is anticipated that there will be no annual cost of complying with the rule.

Any variation in costs of complying with this rule for different types or sizes of small businesses and local governments will be attributable to the size and configuration of the ESS installed by such entities, and not to the nature or type or sizes of such small businesses and local governments. To the extent that larger businesses and larger local governments may tend to own larger buildings and therefore ESS, or more than one building, the total costs of compliance would be higher for larger businesses and larger local governments.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

It is economically and technologically feasible for regulated parties to comply with the rule. This rule imposes no substantial capital expenditures. No new technology need be developed for compliance with this rule.

6. MINIMIZING ADVERSE IMPACT:

The economic impact of this rule on small businesses and local governments will be no greater than the economic impact of this rule on other regulated parties, and the ability of small businesses and local governments to comply with the requirements of this rule should be no less than the ability of other regulated parties to comply. Providing exemptions from coverage by the rule was not considered because such exemptions would endanger public safety.

7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION:

DOS notified interested parties throughout the State of proposed text of this rule by posting a notice on the Department's website, and publishing a notice in Building New York, an electronic news bulletin covering topics related to the Uniform Code and the construction industry which is prepared by DOS and which is currently distributed to approximately 10,000 subscribers, including local governments, design professionals and others involved in all aspects of the construction industry.

DOS has posted the full text of this rule on its website.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS.

This rule amends provisions in the Uniform Fire Prevention and Building Code ("Uniform Code") to add new provisions relating to the installation, use, and maintenance of energy storage systems ("ESS"). The provisions add specific construction and safety requirements to address hazards of fire associated with the increased use of lithium-ion batteries, capacitors, and other modern ESS. The new requirements provide for different types of installations and different types of ESS technologies in use today. Since the Uniform Code applies in all areas of the State (with the exception of New York City), this rule will apply in all rural areas of the State.

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

The rule will not impose any reporting or recordkeeping requirements in rural areas or elsewhere in New York. This rule making will amend the Uniform Code to add specific construction and safety requirements to address the hazard of fires caused by battery energy storage systems. Building owners typically rely on professionals for their expertise in building regulations with respect to design, construction, and operation and maintenance of buildings. The need for professionals in rural areas does not differ from such need in non-rural areas.

3. COSTS.

There may be an initial cost increase associated with this rule. The initial cost increase could result when a proposed energy storage system either (1) has capacity greater than 50 kWh or (2) is designed to be placed less than 3 feet of each other and needs to undergo a large-scale fire test meeting the standard of UL 9540A (Test Method for Evaluating Thermal Run-away Fire Propagation in Battery Energy Storage Systems).

UL 9540A tests the battery energy storage system on the cell level, module level, and unit level. Typical cell level and module level tests each cost within a range from \$30,000 to \$50,000. These costs are often paid for by the physical battery manufacturer rather than the energy storage system manufacturer. The energy storage system manufacturer often assembles the cells and modules into a proprietary unit, which they manufacture, market, and sell. These units, when exceeding 50 kWh, would be required to be tested. This unit level test would cost the unit manufacturer within the range of \$60,000 to \$80,000.

An additional cost increase could be realized by the requirement to install a gas detection system and automatic ventilation system. The need for these systems will depend upon the type of energy storage system installed. According to NYSERDA, gas detectors can range from \$1,000 to \$5,000 per detector and a fully integrated detection and ventilation system can range from \$25,000 to \$50,000, which represents approximately 1% to 3% of the total energy storage system cost.

Compliance with this rule will occur when ESS is initially installed; therefore, it is anticipated that there will be no annual cost of complying with the rule. Any variation in costs of complying with this rule for different types of public and private entities in rural areas will be attributable to the size and configuration of the ESS installed by such entities, and not to the nature or type of such entities or to the location of such entities in rural areas.

4. MINIMIZING ADVERSE IMPACT.

The economic impact of this rule in rural areas will be no greater than the economic impact of this rule in non rural areas, and the ability of individuals or public or private entities located in rural areas to comply with the requirements of this rule should be no less than the ability of individuals or public or private entities located in non-rural areas. Providing exemptions from coverage by the rule was not considered because such exemptions would endanger public safety.

5. RURAL AREA PARTICIPATION.

The Department of State notified interested parties throughout the State of proposed text of this rule by posting a notice on the Department's

website, and publishing a notice in Building New York, an electronic news bulletin covering topics related to the Uniform Code and the construction industry which is prepared by the Department of State and which is currently distributed to approximately 10,000 subscribers, including local governments, design professionals and others involved in all aspects of the construction industry in all areas of the State, including rural areas.

The Department of State has posted the full text of this rule on the Department's website.

Job Impact Statement

The Department of State has determined that this rule will not have a substantial adverse impact on jobs and employment opportunities.

This rule amends provisions in the Uniform Fire Prevention and Building Code ("Uniform Code") to add new provisions relating to the installation, use, and maintenance of energy storage systems ("ESS"). The provisions add specific construction and safety requirements to address the hazards of fire associated with the increased use of lithium-ion batteries, capacitors, and other modern ESS. The new requirements provide for different types of installations and different types of ESS technologies in use today.

Therefore, the Department of State concludes that this rule will not have a substantial adverse impact on jobs and employment opportunities, but it is anticipated that this rule may have a positive impact on jobs and employment opportunities in New York State.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-24-19-00002-P	Hazardous waste management regulations (FedReg5)	Department of Environmental Conservation, 625 Broadway, Rm. 129, Albany, NY—August 19, 2019, 1:00 p.m.
ENV-29-19-00016-P	Reasonably Available Control Technology (RACT) for major facilities of oxides of nitrogen (NOx)	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—September 16, 2019, 11:00 a.m.
ENV-29-19-00017-P	Federal and State standards for acceptable air quality	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—September 16, 2019, 11:00 a.m.
Housing and Community Renewal, Division of		
HCR-21-19-00019-P	Low-income housing qualified allocation plan	<p>Division of Housing and Community Renewal, 38-40 State St., 1st Fl., Albany, NY—July 22, 2019, 1:00 p.m.</p> <p>Division of Housing and Community Renewal, 25 Beaver St., Rm. 642, New York, NY—July 22, 2019, 1:00 p.m.</p> <p>Division of Housing and Community Renewal, 620 Erie Blvd. W, Suite 312, Syracuse, NY—July 22, 2019, 1:00 p.m.</p> <p>Division of Housing and Community Renewal, 535 Washington St., Suite 105, Buffalo, NY—July 22, 2019, 1:00 p.m.</p>
Housing Finance Agency		
HFA-21-19-00020-P	Low-income housing qualified allocation plan	<p>Division of Housing and Community Renewal, 38-40 State St., 1st Fl., Albany, NY—July 22, 2019, 1:00 p.m.</p> <p>Division of Housing and Community Renewal, 25 Beaver St., Rm. 642, New York, NY—July 22, 2019, 1:00 p.m.</p> <p>Division of Housing and Community Renewal, 620 Erie Blvd. W, Suite 312, Syracuse, NY—July 22, 2019, 1:00 p.m.</p> <p>Division of Housing and Community Renewal, 535 Washington St., Suite 105, Buffalo, NY—July 22, 2019, 1:00 p.m.</p>
Public Service Commission		
PSC-22-19-00011-P	Proposed major increase in KEDNY’s gas delivery revenues by \$236.8 million (13.6% increase in total revenues)	<p>Department of Public Service, Three Empire State Plaza, Albany, NY—January 21, 2020, 10:00 a.m. (Evidentiary Hearing)*</p> <p>*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 19-G-0309.</p>
PSC-22-19-00014-P	Proposed major increase in KEDNY’s gas delivery revenues by \$49.4 million (4.1% increase in total revenues)	<p>Department of Public Service, Three Empire State Plaza, Albany, NY—January 21, 2020, 10:00 a.m. (Evidentiary Hearing)*</p> <p>*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 19-G-0310.</p>
PSC-23-19-00005-P	Proposed major increase in SWNY’s annual base revenues of approximately \$31.5 million (or 19.8% in total revenues)	Department of Public Service, Agency Bldg. 3, 3rd Fl. Hearing Rm., Albany, NY—August 7,

2019, 10:30 a.m. and continuing daily as needed. (Evidentiary Hearing)*
 *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 19-W-0168.

State, Department of

DOS-27-19-00014-P	New York State Uniform Fire Prevention and Building Code (the Uniform Code)	Department of State, 99 Washington Ave., Conference Rm. 505, Albany, NY—September 5, 2019, 10:00 a.m. Department of State, 123 William St., Conference Rm. 231, New York, NY—September 5, 2019, 10:00 a.m. Perry B. Duryea Jr. State Office Bldg., 250 Veterans Memorial Hwy., Rms. 2 and 3, Hauppauge, NY—September 5, 2019, 10:00 a.m. Utica State Office Bldg., 207 Genesee St., 1st Fl., Conference Rm. A, Utica, NY—September 5, 2019, 10:00 a.m. Amherst Town Hall, 5583 Main St., Council Chambers, 2nd Fl., Williamsville, NY—September 5, 2019, 10:00 a.m.
DOS-27-19-00015-P	State Energy Conservation Construction Code (the “Energy Code”)	Department of State, 99 Washington Ave., Conference Rm. 505, Albany, NY—September 5, 2019, 10:00 a.m. Department of State, 123 William St., Conference Rm. 231, New York, NY—September 5, 2019, 10:00 a.m. Perry B. Duryea Jr. State Office Bldg., 250 Veterans Memorial Hwy., Rms. 2 and 3, Hauppauge, NY—September 5, 2019, 10:00 a.m. Utica State Office Bldg., 207 Genesee St., 1st Fl., Conference Rm. A, Utica, NY—September 5, 2019, 10:00 a.m. Amherst Town Hall, 5583 Main St., Council Chambers, 2nd Fl., Williamsville, NY—September 5, 2019, 10:00 a.m.
DOS-29-19-00015-EP	New York State Uniform Fire Prevention and Building Code (the Uniform Code)	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—September 16, 2019, 10:00 a.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	0001	P

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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AGING, OFFICE FOR THE

AGE-44-18-00005-P 10/31/19	Nutrition Program	The purpose of this rule is to update the regulations governing the Nutrition Program
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-17-19-00001-P 04/23/20	Farm wineries, breweries, and distilleries; hops processors; and cideries	To update references to regulations and to exempt small hops processors from food processing licensing requirements
AAM-18-19-00001-P	..... 04/30/20	Incorporation by reference of the 2017 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 2017 edition of the PMO.
AAM-21-19-00002-EP	..... 05/21/20	Control of the European Cherry Fruit Fly	To help control the spread of the European Cherry Fruit Fly (ECFF), which renders cherries unmarketable if they are infested.

AUDIT AND CONTROL, DEPARTMENT OF

AAC-29-19-00021-P 07/16/20	Limitations on Public Safety Overtime	To clarify that public safety overtime is subject to the limitations contained in the RSSL
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CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-51-18-00010-P 12/19/19	Residential and non-residential services to victims of domestic violence	To conform the existing regulations to comply with state and federal laws regarding services to victims of domestic violence
CFS-19-19-00006-EP	..... 05/07/20	Procedures for addressing children absent without consent from foster care, conditional releases and searches	To put into place procedures for children absent without consent from foster care, conditional releases and searches
CFS-19-19-00009-EP	..... exempt	Child Care Market Rates	To adjust child care market rates in accordance with the results of the most recent cost of care market survey

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-20-19-00001-EP	05/14/20	To eliminate requirement that victims of domestic violence apply for public assistance to pay for cost of shelter and services	To eliminate requirement that victims of domestic violence apply for public assistance to pay for cost of shelter and services
CIVIL SERVICE, DEPARTMENT OF			
CVS-33-18-00007-P	08/15/19	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-19-00001-P	02/06/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-19-00003-P	03/26/20	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-14-19-00003-P	04/02/20	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2019
CVS-15-19-00001-P	04/09/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-15-19-00002-P	04/09/20	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-15-19-00003-P	04/09/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-15-19-00004-P	04/09/20	Jurisdictional Classification	To delete positions from and classify positions in the exempt class and to delete a position from the non-competitive class
CVS-15-19-00005-P	04/09/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-15-19-00006-P	04/09/20	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-18-19-00007-P	04/30/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-19-00008-P	04/30/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-25-19-00001-P	06/18/20	Jurisdictional Classification	To delete positions from and classify positions in the exempt and non-competitive classes.
CVS-25-19-00002-P	06/18/20	Jurisdictional Classification	To classify positions in the exempt class.
CVS-25-19-00003-P	06/18/20	Jurisdictional Classification	To classify a position in the exempt class.
CVS-25-19-00004-P	06/18/20	Jurisdictional Classification	To delete positions from the non-competitive class.
CVS-25-19-00005-P	06/18/20	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class.
CVS-25-19-00006-P	06/18/20	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-25-19-00007-P	06/18/20	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-25-19-00008-P	06/18/20	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-25-19-00009-P	06/18/20	Jurisdictional Classification	To delete positions from and classify positions in the exempt and non-competitive classes.
CVS-25-19-00010-P	06/18/20	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-29-19-00001-P	07/16/20	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class
CVS-29-19-00002-P	07/16/20	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify a position in the non-competitive class
CVS-29-19-00003-P	07/16/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-29-19-00004-P	07/16/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-29-19-00005-P	07/16/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-29-19-00006-P	07/16/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-29-19-00007-P	07/16/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-29-19-00008-P	07/16/20	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-29-19-00009-P	07/16/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-29-19-00010-P	07/16/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-29-19-00011-P	07/16/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-29-19-00012-P	07/16/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-29-19-00013-P	07/16/20	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from the non-competitive class
CVS-29-19-00014-P	07/16/20	Jurisdictional Classification	To delete a position in the non-competitive class
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-05-19-00006-P	01/30/20	Standard Conditions of Release Parole Revocation Dispositions	Establish standard conditions of release and provide a workable structure for applying appropriate parole revocation penalties
CCS-21-19-00014-P	05/21/20	Adolescent Offender Facilities	To reclassify two existing correctional facilities to adolescent offender facilities.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-28-19-00003-EP	07/09/20	Reclassification of Correctional Facilities	The classification of Collins and Queensboro Correctional Facilities as Work Release facilities
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-20-19-00003-P	05/14/20	Certified Instructors and Course Directors	Establish/maintain effective procedures governing certified instructors and course directors who deliver MPTC-approved courses
CJS-21-19-00004-P	05/21/20	Changes the accrediting authority to the ANSI-ASQ National Accreditation Board.	To change the accrediting authority to the ANSI-ASQ National Accreditation Board.
EDUCATION DEPARTMENT			
EDU-40-18-00010-RP	10/03/19	Professional development plans and other related requirements for school districts and BOCES	To improve the quality of teaching and learning for teachers and leaders for professional growth
EDU-52-18-00005-P	12/26/19	Annual professional performance reviews.	To extend the transition period for an additional year (until 2019-2020).
EDU-05-19-00008-P	01/30/20	Protecting Personally Identifiable Information	To implement the provisions of Education Law section 2-d
EDU-05-19-00017-ERP	01/30/20	Assessments and Student Official Transcripts and Permanent Records	To continue the effectiveness of Part AA, Subpart B of Ch.56 L.2014 as amended by Section 35 of Part CCC of Ch. 56 L.2018
EDU-13-19-00009-ERP	03/26/20	The Execution by Registered Professional Nurses of Non-Patient Specific Orders to Administer Immunizations	To conform the regulation to current immunization standards
EDU-17-19-00005-EP	04/23/20	Extension of the Educational Technology Specialist Content Specialty Test Safety Net	Safety net enables candidates to take either the revised Educational Technology Specialist CST or the predecessor CST
EDU-17-19-00006-P	04/23/20	Registration requirements for school counselor programs and certification requirements for school counselors	To amend requirements for registered school counselor programs and the certification requirements for school counselors
EDU-17-19-00007-P	04/23/20	Extension of the edTPA Safety Net for Candidates Who Receive a Failing Score on the Library Specialist edTPA	The safety net enables candidates to be held harmless during the handbook revision process
EDU-17-19-00008-P	04/23/20	To require study in language acquisition and literacy development of English language learners in certain teacher preparation	To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population
EDU-21-19-00007-EP	05/21/20	The Certification of Manufacturers and Wholesalers for Export Purposes	To clarify who may issue free sale certificates to New York State registered manufacturers or wholesalers
EDU-21-19-00008-P	05/21/20	Continuing Teacher and Leader Education (CTLE) for Educators in nonpublic schools.	To make technical amendments to the CTLE regulations for educators employed in nonpublic schools.
EDU-21-19-00009-P	05/21/20	Creation of safety nets for the science Content Specialty Tests (CSTs)	Allow candidates to be held harmless during a one-year transition period from the predecessor CSTs to the revised CST's

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-21-19-00010-P	05/21/20	Conditional initial certificate requirements.	Provides that candidates may be eligible for an Initial certificate even after their conditional initial certificate expires.
EDU-21-19-00011-P	05/21/20	Educational Broadcast Councils and Radio Stations	Reduce costs incurred by each Council and Radio Station for redundant annual certified audits & to streamline reporting process
EDU-21-19-00012-P	05/21/20	Requirements for Transitional D Programs that Lead to School District Leader Certification	Certificate enables the candidates to work in a school dist. /BOCES as a school dist. leader while they complete their requireme
EDU-25-19-00014-EP	06/18/20	Eligibility Requirements for the Endorsement Pathway for Certification as an Educator in the Classroom Teaching Service	To provide candidates with more flexibility to be eligible for the endorsement pathway
EDU-25-19-00015-EP	06/18/20	Statement of continued eligibility for certain teachers of students with disabilities	Extends the deadline to apply for a statement of continued eligibility for certain teachers of students with disabilities
EDU-26-19-00001-P	06/25/20	Reports of child abuse in an educational setting	To implement the provisions of Chapter 363 of the Laws of 2018 relating to reports of child abuse in an educational setting
EDU-27-19-00010-P	07/02/20	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
ELECTIONS, STATE BOARD OF			
SBE-22-19-00001-EP	05/28/20	Audit Status for Early Voting	Establishes Process for Auditing Early Voting Machines and Systems
SBE-22-19-00002-EP	05/28/20	Related to the Minimum Required Voting Machines and Privacy Booths needed for Early Voting Polling Sites	Establishes the Minimum Required Voting Machines and Privacy Booths needed for Early Voting Polling Sites
SBE-22-19-00003-EP	05/28/20	Process for Early Voting	Establishing Process for Early Voting
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-09-19-00015-P	05/13/20	Set nitrogen oxide (NOx) emission rate limits for simple cycle and regenerative combustion turbines	Reduction of nitrogen oxide (NOx) emissions from simple cycle and regenerative combustion turbines
ENV-10-19-00003-P	05/13/20	Regulate volatile organic compounds (VOCs) in architectural and industrial maintenance (AIM) coatings	To set new and lower VOC limits for certain coating categories. Update categories and methods
ENV-12-19-00002-P	05/23/20	Air emissions regulation of cleaning solutions containing volatile organic compounds.	Update existing regulation with latest emission control requirements and add requirements recently issued by EPA.
ENV-12-19-00003-P	05/23/20	Revised Part 208 will incorporate the new federal emission guideline for MSW landfills pursuant to 40 CFR Part 60, Subpart Cf.	Part 208 controls landfill gas emissions by requiring a gas collection and control system.
ENV-18-19-00006-EP	04/30/20	Regulations governing commercial fishing and harvest of scup.	To revise regulations concerning the commercial harvest of scup in New York State waters.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-24-19-00002-P	08/18/20	Hazardous Waste Management Regulations (FedReg5)	To amend regulations pertaining to hazardous waste management
ENV-27-19-00001-P	07/02/20	Feeding of wild deer and moose, use of 4-Poster™ devices.	To prohibit feeding of wild deer and moose, to define conditions for use of 4-Poster™ devices.
ENV-27-19-00003-P	07/02/20	Black Bear hunting.	Expand bear hunting opportunities in Wildlife Management Unit 4W to reduce bear abundance.
ENV-28-19-00001-P	07/09/20	Omnibus changes to 6 NYCRR	Bring regulations current with statutory changes and to improve application efficiency as part of the Governor's Lean initiative
ENV-28-19-00002-EP	07/09/20	Regulations governing recreational fishing of scup	To revise regulations concerning the recreational harvest of scup in New York State
ENV-29-19-00016-P	09/15/20	Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NOx)	Regulation of NOx emissions from major facilities of NOx. The regulation sets NOx limits for boilers, turbines, and engines
ENV-29-19-00017-P	09/15/20	Federal and State standards for acceptable air quality	To revise outdated State and Federal air quality standards
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-30-18-00007-P	07/25/19	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure	To clarify requirements regarding coverage and disclosure of information for contraceptives
DFS-36-18-00003-P	09/05/19	Professional Bail Agents; Managing General Agents; et al	To provide greater protection to consumers, and raise the standards of integrity in the bail business.
DFS-46-18-00014-P	11/14/19	Regulations Implementing the Comprehensive Motor Vehicle Insurance Reparations Act- Claims for Personal Injury Protection Benefit	To give insurer option to void assignment of benefits when insurer issues denial for EIP's failure to attend IME or EUO
DFS-08-19-00003-P	02/20/20	Charges for Professional Health Services	To delay the effective date of the Workers' Compensation fee schedule increases for no-fault reimbursement
DFS-18-19-00005-P	04/30/20	Servicing Mortgage Loans: Business Conduct Rules	Sets standards governing the servicing of residential home mortgage loans.
DFS-20-19-00002-P	05/14/20	Electronic Filings and Submissions	To require certain filings or submissions to be made electronically
DFS-20-19-00004-P	05/14/20	Valuation of Individual and Group Accident and Health Insurance Reserves	To adopt the 2016 Cancer Claim Cost Valuation Tables

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-20-19-00005-P	05/14/20	SECURITY AT AUTOMATED TELLER FACILITIES	To update the regulation to ensure the removal of obsolete language from the reporting requirements under Part 301
DFS-21-19-00005-P	05/21/20	Continuing Care Retirement Communities	Amend rules related to permitted investments, financial transactions, reporting requirements and add new optional contract type.
DFS-28-19-00007-P	07/09/20	Accelerated Payment of the Death Benefit Under a Life Insurance Policy	Implement statutory amendments in: Laws of 2017 ch. 300, Laws of 2014 ch. 465, Laws of 2014 ch. 448, and Laws of 2010 ch. 563
GAMING COMMISSION, NEW YORK STATE			
SGC-39-18-00003-P	09/26/19	Heads Up Hold 'Em poker.	To set forth the practices and procedures for the operation of Heads Up Hold 'Em poker as a casino table game.
SGC-17-19-00009-P	04/23/20	Pick-six jackpot wager for Thoroughbred racing	To improve Thoroughbred pari-mutuel wagering and generate reasonable revenue for the support of government
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-42-18-00008-P	10/17/19	Office-Based Surgery Practice Reports	Requires accredited Office-Based Surgery practices to submit adverse event & practice information which includes procedural data
HLT-51-18-00016-P	12/19/19	Nursing Home Weekly Bed Census Survey	To require nursing homes to electronically submit weekly bed census data to the DOH through the Health Commerce System
HLT-51-18-00018-P	12/19/19	New requirements for Annual Registration of Licensed Home Care Services Agencies	To amend the regulations for licensed home care services agencies for the annual registration requirements of the agency
HLT-05-19-00005-P	01/30/20	Midwifery Birth Center Services	To set the standards for all birth centers to follow the structure of Article 28 requirements
HLT-09-19-00004-P	02/27/20	Cardiac Catheterization Laboratory Centers	To amend existing Certificate of Need requirements for the approval and operation of Cardiac Catheterization Laboratory Centers.
HLT-17-19-00002-EP	04/23/20	Medical Use of Marihuana	To clarify requirements for laboratories seeking approval to test medical marihuana products in New York State
HLT-18-19-00016-P	04/30/20	Blood Lead Level	To improve the current understanding of lead poisoning risks to children and pregnant women
HLT-20-19-00006-P	05/14/20	Schroon Lake Water District	The regulation is no longer needed since Horseshoe Pond no longer serves as the public drinking water source
HLT-22-19-00015-P	05/28/20	Residents' Rights	Require nursing homes provide info. about home and community based services & comm. transition progs. to residents upon admission

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-25-19-00013-P	06/18/20	Registered Nurses in the Emergency Department	To remove a barrier to new graduate nurse recruitment in the emergency department
HLT-29-19-00020-P	07/16/20	Patients' Bill of Rights	To protect D&TC patients against unknowingly receiving care from out-of-network providers, resulting in surprise medical bills
HIGHER EDUCATION SERVICES CORPORATION			
ESC-22-19-00004-EP	05/28/20	The New York State Teacher Loan Forgiveness Program	To implement The New York State Teacher Loan Forgiveness Program
ESC-22-19-00005-EP	05/28/20	New York State Masters-in-Education Teacher Incentive Scholarship Program	To implement the New York State Masters-in-Education Teacher Incentive Scholarship Program
ESC-22-19-00006-EP	05/28/20	New York State Get on Your Feet Loan Forgiveness Program	To implement the New York State Get on Your Feet Loan Forgiveness Program
ESC-22-19-00007-EP	05/28/20	NYS Part-time Scholarship (PTS) Award Program	To implement the NYS Part-time Scholarship (PTS) Award Program
ESC-22-19-00008-EP	05/28/20	The New York State Achievement and Investment in Merit Scholarship (NY-AIMS)	To implement The New York State Achievement and Investment in Merit Scholarship (NY-AIMS)
ESC-25-19-00012-EP	06/18/20	Eligibility criteria for student financial aid award programs under article 14 of the Education Law	To implement the eligibility criteria for student financial aid award programs under article 14 of the Education Law
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
HCR-21-19-00019-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation o flow-income housing tax credits.
HOUSING FINANCE AGENCY			
HFA-21-19-00020-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
HUMAN RIGHTS, DIVISION OF			
HRT-27-19-00002-P	07/02/20	Gender Identity or Expression Discrimination	To conform the Division's regulations with Executive Law as amended by Chapter 8 of the Laws of New York 2019.
LABOR, DEPARTMENT OF			
*LAB-17-18-00005-P	07/11/19	Hours Worked, 24-Hour Shifts	To clarify that hours worked may exclude meal periods and sleep times for employees who work shifts of 24 hours or more
LAW, DEPARTMENT OF			
LAW-41-18-00021-P	10/10/19	Arbitration program regulations for defective farm equipment	To set forth the procedures for the operation of an alternative arbitration mechanism for defective farm equipment disputes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LIQUOR AUTHORITY, STATE			
LQR-02-19-00006-P	05/28/20	Delinquent (C.O.D.) list procedures	To modernize outdated delinquent (C.O.D.) list procedures and provide for electronic notification for same
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
LPA-33-18-00018-P	exempt	The net energy metering and related provisions of the Authority's Tariff for Electric Service.	To conform the Tariff to orders issued in the Value of Distributed Energy Resources proceeding of the New York DPS.
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.
METROPOLITAN TRANSPORTATION AGENCY			
MTA-23-19-00006-EP	06/04/20	Debarment of contractors	To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors
MOTOR VEHICLES, DEPARTMENT OF			
MTV-25-19-00011-P	06/18/20	Alcohol & Drug Rehabilitation Programs - Restricted Use License eligibility provision	Conforms regulation with statute
MTV-27-19-00011-P	07/02/20	Limited Use Vehicles - provides that number of characters in a VIN be in conformance with Federal standards.	conforms regulation with statute
MTV-27-19-00012-P	07/02/20	Private Service Bureaus-employment of persons who've been convicted of a crime in accordance with Article 23-A of Correction Law	conforms regulation with statute
MTV-27-19-00013-P	07/02/20	Driving Schools-relates to employment of persons convicted of a crime in accordance with Article 23-A of Correction Law.	conforms regulation with statute

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NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*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-01-19-00019-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
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-18-19-00004-P	..... 04/30/20	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc.	To amend Procurement Guidelines to reflect changes in law, clarifying provisions and change in signing authority.
OGDENSBURG BRIDGE AND PORT AUTHORITY			
OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-20-19-00007-P	..... 05/14/20	Site Based Prevocational Services	To make technical corrections
PDD-22-19-00010-P	..... 05/28/20	Person Centered Planning: Care Management and Home and Community Based Services	To ensure consistency with person-centered planning regulations
PDD-23-19-00002-EP	..... 06/04/20	Enrollment in Medicare Prescription Drug Plans and Fully Integrated Duals Advantage Plans for IDD	To allow individuals to be enrolled in a FIDA-IDD plan when individuals are unable to enroll themselves
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*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

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PUBLIC SERVICE COMMISSION			
*PSC-27-04-00009-P exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*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

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PUBLIC SERVICE COMMISSION			
*PSC-46-05-00015-P exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*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-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality andthe Customer Trouble Report Rate levels at certain central office entities

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission’s Electric Safety Standards.	To consider revisions to the Commission’s Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison’s low income program to include Medicaid recipients.	Whether to expand Con Edison’s low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff' s electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00009-P	..... exempt	Approval of a surcharge.	To allow or disallow Emerald Green Lake Louise Marie Water Company, Inc. for a surcharge.
*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
PUBLIC SERVICE COMMISSION			
*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
PUBLIC SERVICE COMMISSION			
*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-48-15-00010-P	..... exempt	Lightened and incidental regulation of a 55 MW electric and steam generating facility.	Consider the lightened and incidental regulation of a 55 MW electric and steam generating facility.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-14-17-00017-P	..... exempt	Petition for Full-Scale Deployment of AMI and to Establish an AMI Surcharge.	To consider the petition for Full-Scale Deployment of AMI and to Establish an AMI Surcharge.
*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-19-17-00004-P	..... exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2016.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-23-17-00022-P	..... exempt	Changes in regulation of ESCOs, including restrictions on or prohibitions of marketing or offering certain products or services.	To ensure consumer protection for ESCO customers.
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-37-17-00006-P	..... exempt	Petition to submeter electricity.	To consider the petition of ACC OP (Park Point SU) LLC to submeter electricity at 417 Comstock Avenue, Syracuse, New York.
*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-40-17-00006-P	..... exempt	The aggregation of electric service for the Empire State Plaza and the Sheridan Avenue Steam Plant	To consider a waiver of National Grid's tariff provision requiring all electric delivery points to be on the same premises
*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-50-17-00022-P	..... exempt	Data protection rules for DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-15-18-00008-P	..... exempt	Amendments to the Uniform Business Practices.	Consideration of revised consumer protections and business practices of energy service companies.
*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-23-18-00014-P	..... exempt	Proposed major rate increase of approximately \$11.7 million to cover its Franklin and St. Lawrence Counties expansion project.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-30-18-00004-P	..... exempt	Ownership of St. Lawrence Gas Company, Inc.	To consider whether a proposed transfer of ownership interests in St. Lawrence Gas Company, Inc. is in the public interest.
PSC-31-18-00011-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-34-18-00011-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
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-36-18-00005-P	..... exempt	Permanent operator of gas wells and certain gas facilities.	To resolve ownership of overlapping gas facilities associated with wells transferred to two gas companies.
PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
PSC-40-18-00015-P	..... exempt	Proposed rate filing to increase annual revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-42-18-00014-P	..... exempt	The disposition of a refund from NYPA to the Village of Solvay of \$733,000 for overcharge for electricity over several years.	To determine whether the proposed disposition of the NYPA refund is just and reasonable.
PSC-44-18-00012-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
PSC-44-18-00013-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
PSC-44-18-00016-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
PSC-45-18-00004-P	..... exempt	Proposed transfer of two natural gas pipeline operating companies, and for lightened and incidental regulation	To consider transfer if there is no market power or ratepayer harm, incidental regulation, and continuing lightened regulation
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-46-18-00005-P	..... exempt	Proposed rate filing to increase annual revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-47-18-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-47-18-00008-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
PSC-50-18-00003-P	..... exempt	Proposed transfer of interests in an electric generating facility and dedicated natural gas pipeline	To consider the transfer of generating facility and dedicated gas pipeline if there is no market power or ratepayer harm
PSC-52-18-00008-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-52-18-00011-P	..... exempt	LED Street Lighting.	To provide customers with more efficient, lower cost LED street lighting options.
PSC-52-18-00012-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-01-19-00004-P	..... exempt	Advanced Metering Infrastructure.	To determine whether Niagara Mohawk Power Corporation d/b/a National Grid should implement advanced metering infrastructure.
PSC-01-19-00007-P	..... exempt	Northbrook Lyons Falls LLC's 3 hydro facilities with a combined capacity of 8.59 MW located in Mill, Gouldtown, and Kosterville.	To promote and maintain renewable electric energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
PSC-01-19-00014-P	..... exempt	To modify provisions for accepting new or additional gas service applications when there is inadequate supply or capacity.	To continue to provide safe and reliable service to existing customers.
PSC-01-19-00015-P	..... exempt	To modify provisions for accepting new or additional gas service applications when there is inadequate supply or capacity.	To continue to provide safe and reliable service to existing customers.
PSC-01-19-00016-P	..... exempt	To modify provisions for accepting new or additional gas service applications when there is inadequate supply or capacity.	To continue to provide safe and reliable service to existing customers.
PSC-02-19-00009-P	..... exempt	The 2018 Electric Emergency Response Plans for electric utilities.	To consider the adequacy of the 2018 Electric Emergency Response Plans.
PSC-02-19-00014-P	..... exempt	Petition for use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
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-05-19-00009-P	..... exempt	Transfer of street lighting facilities	To consider whether the transfer of certain street lighting facilities is in the public interest
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-07-19-00010-P	..... exempt	The rates and charges for non-roadway LED service offerings for outdoor lighting customers.	To determine whether to amend National Grid's P.S.C. No. 214 - Outdoor Lighting Tariff to provide new LED service offerings.
PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
PSC-09-19-00007-P	..... exempt	Exemptions from standby rates.	To consider whether the standby rate exemptions proposed by the City of New York are reasonable and in the public interest.
PSC-09-19-00009-P	..... exempt	Amendments to the tariff of Con Edison pertaining to interruptible gas service customers.	To consider the appropriate tariff provisions for Con Edison interruptible gas service customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
PSC-09-19-00013-P	..... exempt	Cyber Security requirements.	Establish a framework to ensure the protection of utility systems and customer data from cyber events.
PSC-10-19-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-19-00002-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-11-19-00003-P	..... exempt	Transfer of street lighting facilities	To consider whether the transfer of certain street lighting facilities is in the public interest
PSC-12-19-00004-P	..... exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
PSC-12-19-00005-P	..... exempt	The request to issue long-term debt securities.	To assume debt for general corporate purposes, including working capital and other financial requirements
PSC-12-19-00006-P	..... exempt	Transfer of utility property.	To determine whether to approve the transfer of utility property.
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-13-19-00011-P	..... exempt	Modifications to the Gas Cost Factor and Daily Delivery Service Programs.	To ensure safe and reliable service for customers at just and reasonable rates.
PSC-13-19-00012-P	..... exempt	Paperless billing credit.	To provide just and reasonable rates.
PSC-13-19-00014-P	..... exempt	Eligibility for annual per-plug incentives for DCFC stations.	To increase electric vehicle infrastructure penetration to accomplish New York's Zero Emission Vehicle adoption mandate.
PSC-13-19-00020-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-19-00021-P	..... exempt	Modifications to the Gas Supply Charge and Balancing Service Programs.	To ensure safe and reliable service for customers at just and reasonable rates.
PSC-14-19-00008-P	..... exempt	Residential meter reading	To establish provisions for a special meter read for when service is discontinued to residential customers
PSC-15-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-15-19-00009-P	..... exempt	Cancellation of Society's tariff.	To consider whether cancellation of Society's tariff is in the public service.
PSC-15-19-00010-P	..... exempt	Tariff provisions for Interruptible and Off-Peak Firm Service Customers.	To amend certain penalties for non-compliant Interruptible and Off-Peak Firm Customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-16-19-00001-P	..... exempt	Waiver of certain rules, i.e., 5-year buildout and 7-day installation requirements pertaining to cable television franchise.	To determine whether to waive any rules and regulations.
PSC-16-19-00002-P	..... exempt	NYSEG and RG&E Implementation Plan and audit recommendations.	To consider NYSEG and RG&E's Implementation Plan.
PSC-16-19-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-16-19-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-16-19-00005-P	..... exempt	Proposed major electric delivery revenue requirement increase of approximately \$485 million (or 4.6% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-16-19-00006-P	..... exempt	Waiver of certain rules, i.e., 5-year buildout and 7-day installation requirements pertaining to cable television franchise.	To determine whether to waive any rules and regulations.
PSC-16-19-00007-P	..... exempt	Recommendation of the levelization surcharge, changes to the System Improvement Charge, and a one-year stay-out.	To address the issues in NYAW's petition dated February 25, 2019.
PSC-16-19-00008-P	..... exempt	Proposed major rate increase in Con Edison's gas delivery revenues of approximately \$210 million (or 9.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-17-19-00010-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-17-19-00011-P	..... exempt	Purchased power adjustment.	To ensure existing customers are not harmed by an increase in rates attributable to any incremental supply.
PSC-17-19-00012-P	..... exempt	Establishment of a consumer awareness program to encourage renewable energy resources and energy efficiencies in Westchester.	To encourage clean energy development in Westchester.
PSC-17-19-00013-P	..... exempt	Tariff amendments regarding minimum monthly storage inventory levels.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-17-19-00014-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-18-19-00010-P	..... 04/30/20	Energy efficiency programs, budgets, and targets for investor-owned utilities.	To encourage the delivery and procurement of energy efficiency by investor-owned utilities.
PSC-18-19-00011-P	..... exempt	Policies, budgets and targets for support of heat pump deployment by investor-owned utilities.	To encourage the support for heat pump deployment by investor-owned utilities.
PSC-18-19-00012-P	..... 04/30/20	Policies, budgets and targets for support of energy efficiency programs for low- and moderate-income customers.	To encourage the support of energy efficiency programs for low- and moderate-income customers by investor-owned utilities.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-18-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-19-00014-P	..... exempt	Revenue neutral revenue adjustment to the demand and energy charges under SC No. 3.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-18-19-00015-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-19-19-00011-P	..... exempt	To consider a settlement agreement.	Modification of Network Expansion Condition.
PSC-19-19-00012-P	..... exempt	Minor rate filing.	To ensure that the Village of Silver Spring provides safe and adequate service and that its rates are just and reasonable.
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-19-19-00014-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 124 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 124 MW electric generating facility.
PSC-19-19-00015-P	..... exempt	Establishment of the regulatory regime applicable to an energy storage facility of up to 316 MW.	Consideration of a lightened regulatory regime for an energy storage facility of up to 316 MW
PSC-19-19-00016-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 242 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 242 MW electric generating facility.
PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
PSC-20-19-00009-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
PSC-20-19-00011-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-20-19-00012-P	..... exempt	Waiver of 16 NYCRR Section 894.4(b)(2) pertaining to publishing notice of the RFP in national publications	To determine whether to waive any rules and regulations
PSC-20-19-00013-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-20-19-00014-P	..... exempt	Transfer of street lighting facilities	To consider the transfer of street lighting facilities to the City of Oneonta
PSC-20-19-00015-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 105.8 MW electric generating facility	Consideration of a lightened regulatory regime for an approximately 105.8 MW electric generating facility
PSC-21-19-00015-P	..... exempt	The Implementation Plan used to recover the costs of ZECs from Load Serving Entities.	To more accurately calculate Load Serving Entities' future ZEC obligation payments.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-21-19-00016-P	..... exempt	Use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-21-19-00017-P	..... exempt	Residential meter reading.	To establish provisions for a special meter read for when service is discontinued to residential customers.
PSC-21-19-00018-P	..... exempt	Methodology used to set discount level for income-based discounts to residential electric and gas utility bills.	To ensure that income-based discounts are adjusted in a manner that moderates annual changes.
PSC-22-19-00011-P	..... exempt	Proposed major increase in KEDNY's gas delivery revenues by \$236.8 million (13.6% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-22-19-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-22-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-22-19-00014-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues by \$49.4 million (4.1% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-23-19-00003-P	..... exempt	Ownership interest in poles.	To consider the transfer of ownership interest in certain poles from NYSEG to Verizon.
PSC-23-19-00004-P	..... exempt	Individually negotiated contracts.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-23-19-00005-P	..... exempt	Proposed major rate increase in SWNY's annual base revenues of approximately \$31.5 million (or 19.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-24-19-00003-P	..... exempt	Three-year pilot for inspecting gas services at intervals longer than existing regulations require.	To use risk-based reasoning for gas service lines inspection intervals on a pilot basis.
PSC-24-19-00004-P	..... exempt	Municipal Gross Receipts Taxes.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-24-19-00005-P	..... exempt	Non-Firm Demand Response service classes.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-24-19-00006-P	..... exempt	Municipal Gross Receipts Taxes.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-24-19-00007-P	..... exempt	Municipal Gross Receipts Taxes.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-24-19-00008-P	..... exempt	Non-Firm Demand Response service classes.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-24-19-00009-P	..... exempt	Municipal Gross Receipts Taxes.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-25-19-00016-P	..... exempt	The request of New York Transco LLC to assume debt with a repayment period that exceeds 12 months.	To consider a petition to incur debt.
PSC-25-19-00017-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-26-19-00002-P	..... exempt	Petition to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-27-19-00006-P	..... exempt	Tariff provisions for SHR Demonstration Project customers.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-27-19-00007-P	..... exempt	Implementation of consolidated billing for distributed energy resources.	To facilitate development of and participation in Community Distributed Generation projects.
PSC-27-19-00008-P	..... exempt	Tariff provisions for SHR Demonstration Project customers.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-27-19-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-28-19-00004-P	..... exempt	Revenue and Property Tax Reconciliation Mechanism.	To ensure recovery of proper expenses and the continued provision of safe and adequate service.
PSC-28-19-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-28-19-00006-P	..... exempt	Establishment of an escrow account.	To maintain a replenishable escrow account with a maximum balance of \$5,000.
PSC-29-19-00018-P	..... exempt	Compensation for distributed energy resources.	To establish rules for NYPA customer participation in the Value of Distributed Energy Resources program.
PSC-29-19-00019-P	..... exempt	Transfer of street lighting facilities.	To determine whether to transfer street lighting facilities and the proper accounting for the transaction.
STATE, DEPARTMENT OF			
DOS-23-19-00001-P	..... 06/04/20	Prospective licensee requirements	To conform current NYS standards to existing applicable federal requirements for licensure
DOS-27-19-00014-P	..... 09/04/20	New York State Uniform Fire Prevention and Building Code (the Uniform Code)	To repeal the existing Uniform Code and adopt a new Uniform Code and to make conforming changes to 19 NYCRR Parts 1264 and 1265.
DOS-27-19-00015-P	..... 09/04/20	The State Energy Conservation Construction Code (the "Energy Code").	To repeal the existing Energy Code and to adopt a new, updated Energy Code.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
DOS-29-19-00015-EP	09/15/20	New York State Uniform Fire Prevention and Building Code (the Uniform Code)	Incorporating the 2019 Energy Storage System Supplement to add provisions to the New York State Uniform Fire Prevention and Building Code relating to the installation, use and maintenance of Energy Storage Systems.
STATE UNIVERSITY OF NEW YORK			
SUN-15-19-00007-P	04/09/20	Proposed amendments to Appointment of Employees and Leave of Absences for Employees in the Professional Service.	Allow a temporary cessation of service credit during birth/adoption/foster care placement of child and update leave accruals.
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-09-19-00005-EP	02/27/20	The Congestion Surcharge.	To implement the Congestion Surcharge and related registration, recordkeeping and reporting requirements.
TAF-21-19-00006-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 July 1, 2019 through September 30, 2019.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-14-19-00002-P	04/02/20	Enforcement of support obligations and issuance of income withholding orders (IWOs)	To clarify the requirements for income withholding for persons served by the Title IV-D child support program (IV-D) to conform with changes to the federal IV-D IWO/Notice for Support form
TDA-14-19-00007-P	04/02/20	Abandonment of requests for fair hearings	To require the issuance of letters to appellants who fail to appear at scheduled fair hearings involving Medical Assistance, also known as Medicaid, advising them how to request the rescheduling of such fair hearings
TDA-19-19-00007-P	05/07/20	Adult-Care Facilities and Shelters for Adults	To update State regulations pertaining to general provisions, inspections and enforcement, and shelters for adults
TDA-19-19-00008-P	05/07/20	Shelters for Families	To update State regulations pertaining to shelters for families
TDA-19-19-00010-P	05/07/20	Elimination of finger imaging requirement for public assistance applicants and recipients	To update State regulations to align public assistance programs with other State benefit programs regarding identification verification requirements
VICTIM SERVICES, OFFICE OF			
OVS-24-19-00001-EP	06/11/20	Conduct contributing related to burial awards	Adopt rules necessary as the result of chapter 494 of the Laws of 2018, when considering the victim's own conduct
WORKERS' COMPENSATION BOARD			
WCB-22-19-00009-P	05/28/20	Group self-insured trusts that are inactive but not insolvent	Provide assistance with inactive but not insolvent group self-insured trusts to purchase ALPs to wind down liabilities

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-25-19-00018-P	..... 06/18/20	Prior authorization for medical treatment and variances form the Medical Treatment Guidelines	Add new authorized medical provider types to rules regarding prior authorizations and variances
WCB-25-19-00019-P	..... 06/18/20	Medical Provider Authorization	Describe the process for providers to become authorized by the Board and maintain authorization
WCB-27-19-00005-P	..... 07/02/20	Medical Fee Schedules	Add new providers to the fee schedule

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

17 Congrats/Ponderway, LLC
1306 Somerhill Place Anchorage, KY 40223
State or country in which incorporated — Kentucky

17 Constitution/On a Lark, LLC
1306 Somerhill Place Anchorage, KY 40223
State or country in which incorporated — Kentucky

17 Palace/Rhetorical Colors, LLC
1306 Somerhill Place Anchorage, KY 40223
State or country in which incorporated — Kentucky

17 Paynter/Devine Success, LLC
1306 Somerhill Place Anchorage, KY 40223
State or country in which incorporated — Kentucky

17 Paynter/Unbridled Sonya, LLC
1306 Somerhill Place Anchorage, KY 40223
State or country in which incorporated — Kentucky

17 Tale of the Cat/Majestique, LLC
1306 Somerhill Place Anchorage, KY 40223
State or country in which incorporated — Kentucky

Aden Capital, L.P.
60 Madison Ave., Suite 1101, New York, NY 10010
Partnership — Aden Capital Partners, LLC

Amberlake Village, LLC
22144 Clarendon Ave., Suite 303, Woodland Hills, CA 91367
State or country in which incorporated — Delaware

Bridlewood Apts JV LLC
One World Trade Center, Suite 8500, New York, NY 10007
State or country in which incorporated — Delaware

Collaborative Investment Series Trust
125 Greenwich Ave., Greenwich, CT 06830
State or country in which incorporated — Connecticut

CrowdSmart Air Fund I, LLC
44 Tehama St., San Francisco, CA 94105
State or country in which incorporated — Delaware

CrowdSmart Illumeo Fund I, LLC
44 Tehama St., San Francisco, CA 94105
State or country in which incorporated — Delaware

CY Spring CS Investors, LLC
1621 N. Kent St., Suite 1115, Arlington, VA 22209
State or country in which incorporated — Delaware

EncorVet Super HoldCo, LLC
c/o North Castle Partners, L.L.C., 183 E. Putnam Ave., Greenwich,
CT 06830
State or country in which incorporated — Delaware

GTIS VREP LP
787 Seventh Ave., 50th Fl., New York, NY 10019
Partnership — GTIS Brazil Real Estate Fund GP LLC

Herbert J. Sims & Co. Inc.
2150 Post Rd., Suite 301, Fairfield, CT 06824
State or country in which incorporated — Delaware

ICG Apartment Fund 2019 LLC
901 Fifth Ave., Suite 4100, Seattle, WA 98164
State or country in which incorporated — Washington

Illumina Radiopharmaceuticals LLC
c/o CTSW, 420 Lexington Ave., Suite 2400, New York, NY 10170
State or country in which incorporated — Delaware limited liability
company

Infinite Arthroscopy Inc., Ltd.
5000 Euclid Ave., Suite 206, Cleveland, OH 44103
State or country in which incorporated — Ohio

KABR Real Estate Investment Partners V, LLC
100 Challenger Rd., Suite 401, Ridgefield Park, NJ 07660

Legalist Fund II, L.P.
880 Harrison St., Suite 303A, San Francisco, CA 94107
Partnership — Legalist GP II, L.L.C.

Monomoy Credit Opportunities Fund, L.P.
600 Third Ave., 27th Fl., New York, NY 10016
Partnership — Monomoy General Partner C, L.P.

Moxy OZ Fund LP
117 E. Colorado Blvd., Suite 400, Pasadena, CA 91105
Partnership — KCB Real Estate Management VII LLC

MRKTSTAR, INC.
3654 Oso St., San Mateo, CA 94403
State or country in which incorporated — Delaware

Northland Fund VII, L.P.
2150 Washington St., Newton, MA 02462
Partnership — Northland Fund VII Partners LLC

Northland Ventures L.P.
2150 Washington St., Newton, MA 02462
Partnership — Northland Ventures Partners LLC

Olivela Inc.
601 Montgomery St., Suite 675, San Francisco, CA 94111
State or country in which incorporated — Delaware

PB Partners, L.P.
2775 Sand Hill Rd., Suite 220, Menlo Park, CA 94025
Partnership — PB Investment Partners GP, LLC

Principal Real Estate Debt Fund III, L.P.
711 High St., Des Moines, IA 50392
Partnership — Principal Real Estate Debt Fund GP III, LLC

Provider Resources, Inc.
153 E. 13th St., Suite 1400, Erie, PA 16503
State or country in which incorporated — Pennsylvania

Red Hook Fund LP
750 3rd Ave., Suite 3370, New York, NY 10178
Partnership — Red Hook GP LLC

Rodman PP Mill, L.P.
c/o PP Mill GP, LLC, 308 E. Lancaster Ave., Suite 235, Wynnewood,
PA 19096
Partnership — PP Mill GP, LLC

SE Boot Ranch (Tampa) Investors, LLC
350 N. LaSalle St., Suite 800, Chicago, IL 60654
State or country in which incorporated — Delaware limited liability
company

SimpleBet, Inc.
435 W. 31st St., PH 3C, New York, NY 10001
State or country in which incorporated — Delaware

ST Colonial Terrace Apartments, LLC
403 Madison Ave. N, Suite 230, Bainbridge Island, WA 98110
State or country in which incorporated — Georgia

Sundial Growers Inc.
919 11th Ave. SW, Suite 200, Calgary, AB T2R 1P3
State or country in which incorporated — Canada

Supreme Cannabis Company, Inc., The
178R Ossington Ave., Toronto, Ontario, M6J 2Z7 Canada
State or country in which incorporated — Canada

Tellus Core, Inc.
109 Inverness Dr. E, Unit J, Englewood, CO 80112
State or country in which incorporated — Delaware

Texas Securities, Inc.
4024 Nazarene Dr., Suite B, Carrollton, TX 75010
State or country in which incorporated — Texas

TPC Security Investors LP
c/o TPC Security Investors GP LLC, 860 Washington St., 6th Fl., New
York, NY 10014
Partnership — TPC Security Investors GP LLC

Varsity Healthcare Partners III, LP
1925 Century Park E, Suite 1300, Los Angeles, CA 90067
Partnership — Varsity Healthcare Partners GP III, LP

Varsity Healthcare Partners III-A, LP
1925 Century Park E, Suite 1300, Los Angeles, CA 90067
Partnership — Varsity Healthcare Partners GP III, LP

Watermark Sunbelt Fund I LP
460 King St., Suite 200, Charleston, SC 29403
Partnership — Watermark Sunbelt Fund I GP LLC

Wind Point Partners IX-A, L.P.
676 N. Michigan Ave., Suite 3700, Chicago, IL 60611
Partnership — Wind Point Investors IX, LP

Wind Point Partners IX-B, L.P.
676 N. Michigan Ave., Suite 3700, Chicago, IL 60611
Partnership — Wind Point Investors IX, LP

Woodlands South Maine LP
c/o Capital Solutions, Inc., 910 Harvest Dr., Suite 105, Blue Bell, PA
19422
Partnership — Woodlands Briarcliff LLC

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE
AC, AIR HANDLING UNITS
AND CONTROLS
Mid State Correctional Facility
Marcy, Oneida County

Sealed bids for Project Nos. 45178-C, 45178-H, 45178-E, comprising separate contracts for Construction Work, HVAC Work and Electrical Work, Replace AC, Air Handling Units & Controls, Buildings 3 & 101, Mid State Correctional Facility, PO Box 216, River Road, Marcy (Oneida 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, July 24th, 2019, 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 certified check, bank check, or bid bond in the amount of \$22,000 for C, \$89,500 for H and \$19,900 for E.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$250,000 and \$500,000 for C, between \$2,000,000 and \$3,000,000 for H and between \$250,000 and \$500,000 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewykyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 391 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 July 11th, 2019 at Marcy Field Office, 6325 State Route 291, Marcy, NY. Prospective bidders are urged 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.

Phone the office of Brendan Ford, (315) 736-5770 a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

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

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewykyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
LEAD MITIGATION
Dunkirk Armory
Dunkirk, Chautauqua County

Sealed bids for Project No. 45726-C, for Construction Work, Provide Lead Mitigation, Dunkirk Armory, 830 Main and Newton Streets, Dunkirk, (Chautauqua), 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 Division of Military and

Naval Affairs, until 2:00 p.m. on Wednesday, July 17, 2019, 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 certified check, bank check, or bid bond in the amount of \$40,300 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 587 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 July 2, 2019 at the State Armory, 1 Newton Street, Dunkirk, NY. Prospective bidders are urged 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.

Phone the office of Kim Himes (716-532-5151) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the

following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewycky, Deputy Director*
OGS - Design & Construction Group

**PROVIDE
LEAD MITIGATION**
State Armory, Hornell, Steuben County

Sealed bids for Project No. 45729-C, for Construction Work, Provide Lead Mitigation, State Armory, 100 Seneca Street, Hornell (Steuben 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 24, 2019, 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 certified check, bank check, or bid bond in the amount of \$68,400 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 510 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 July 12, 2019, at the State Armory, 100 Seneca St, Hornell NY. Prospective bidders are urged 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.

Phone the office of Vicki Thielges (585-658-2900) a minimum of

24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
LEAD MITIGATION
Ithaca Armory, Ithaca, Tompkins County

Sealed bids for Project No. 45731-C for Construction Work, Provide Lead Mitigation, Ithaca Armory, 1765 Hanshaw Rd, Ithaca (Tompkins), 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 17, 2019 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 certified check, bank check, or bid bond in the amount of \$46,400 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information

when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 686 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 12:30 p.m. on July 8, 2019 at Ithaca Armory, 1765 Hanshaw Rd, Ithaca, NY. Prospective bidders are urged 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.

Phone the office of Luanne Vaughn (607-721-8716) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
LEAD MITIGATION
State Armory
Ogdensburg, St. Lawrence County

Sealed bids for Project No.45737-C, for Construction Work, Provide Lead Mitigation, State Armory, 225 Elizabeth Street, Ogdensburg (St. Lawrence 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 24, 2019, 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 certified check, bank check, or bid bond in the amount of \$68,500 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 701 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 July 12th, 2019 at State Armory, 225 Elizabeth Street, Ogdensburg, NY. Prospective bidders are urged 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.

Phone the office of Allison Sayer, (315-393-6898) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the

following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

**PROVIDE
LEAD MITIGATION**
State Armory, Olean, Cattaraugus County

Sealed bids for Project No 45738-C, for Construction Work, Provide Lead Mitigation, State Armory, 119 Times Square, Olean (Cattaraugus 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 24, 2019, 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 certified check, bank check, or bid bond in the amount of \$65,000 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 573 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on July 11, 2019, at the Olean State Armory, 119 Times Square, Olean, NY. Prospective bidders are urged 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.

Phone the office of Lauren Clausen, (716-885-0908) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
LEAD MITIGATION
State Armory, Troy, Rensselaer County

Sealed bids for Project No.45743-C, for Construction Work, Provide Lead Mitigation, State Armory, 99 South Lake Avenue, Troy (Rensselaer 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 24, 2019, 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 certified check, bank check, or bid bond in the amount of \$23,500 for C.

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

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller (“Restricted Period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design &

Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 357 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 2:00 p.m. on July 11, 2019 at State Armory, 99 South Lake Avenue, Troy NY. Prospective bidders are urged 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.

Phone the office of Greg Haze (518-225-0822) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
LEAD MITIGATION
State Armory, Walton, Delaware County

Sealed bids for Project No. 45744-C, for Construction Work, Provide Lead Mitigation, State Armory, 55 South Street, Walton (Delaware 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 Division of Military and Naval Affairs,

until 2:00 p.m. on Wednesday, July 17, 2019 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 certified check, bank check, or bid bond in the amount of \$43,800 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 701 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 July 8, 2019 at Walton Armory, 55 South Street, Walton, NY. Prospective bidders are urged 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.

Phone the office of Luanne Vaughn, (607-721-8716) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the

following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

**REFURBISH
TRANSFER STATION
BUILDINGS 81, 82, 83 and 132
Pilgrim Psychiatric Center
West Brentwood, Suffolk County**

Sealed bids for Project No. 45784-E, Electrical Work, Refurbish Transfer Station Buildings 81, 82, 83, and 132, Pilgrim Psychiatric Center, 998 Crooked Hill Road, West Brentwood (Suffolk County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, July 24th, 2019, 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 certified check, bank check, or bid bond in the amount of \$ 21,800 for E.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$ 250,000 and \$ 500,000 for 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 Hoffman, Carl Ruppert and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 247 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 July 12th, 2019, at Pilgrim Psychiatric Center, 998 Crooked Hill Road, Bldg. 26, Brentwood, NY. Prospective bidders are urged 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.

Phone the office of Bibi Bacchus (718) 776-4441 a minimum of 48 hours in advance of the date to provide the names of those who will attend 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 0% for MWBE participation, 0% for Minority-Owned Business Enterprises (“MBE”) participation and 0% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
STAND-BY GENERATOR
State Armory, New York, New York County

Sealed bids for Project No. 45931-E, comprising a contract for Electrical Work, Provide Stand-By Generator, State Armory 68 Lexington Ave, New York (New York), 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, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 17, 2019, 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 certified check, bank check, or bid bond in the amount of \$62,500 for E.

Further, Wicks Exempt Projects require a completed form BDC 59 (Wicks Exempt List of Contractors) be filled out and submitted (included in a separate, sealed envelope) in accordance with Document 002220, Supplemental Instructions to Bidders – Wicks Exempt. 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 in the statutory form of public bonds required by 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 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 Hoffman, Carl Ruppert, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 294 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 July 9, 2019, at 78 Lexington Avenue, New York, NY. Prospective bidders are urged 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.

Phone the office of Sarah Farnham (917-797-2380) a minimum of 24 hours in advance of the date to provide the names of those who will attend 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.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Environmental Facilities Corporation
Division of Engineering & Program Management
625 Broadway
Albany, NY 12207-2997
and
Department of Health
Bureau of Water Supply Protection
Empire State Plaza
Corning Tower Rm. 1135
Albany, NY 12237

MUNICIPALITIES OF NEW YORK STATE; OWNERS/ OPERATORS OF PUBLIC DRINKING WATER SYSTEMS Clean Water State Revolving Fund (CWSRF) for Water Pollution Control; Drinking Water State Revolving Fund (DWSRF)

Draft Intended Use Plans (IUPs) for Federal Fiscal Year 2020

The New York State Environmental Facilities Corporation (EFC), the Department of Environmental Conservation (DEC) and the Department of Health (DOH) are pleased to announce the availability of the Draft Federal Fiscal Year (FFY) 2020 Intended Use Plans (IUPs) for the CWSRF and the DWSRF. The CWSRF and DWSRF programs are available to municipalities and certain non-municipal entities in New York State to finance water quality and drinking water related projects.

The Draft IUPs include lists of projects that could receive financing between October 1, 2019 and September 30, 2020, the next IUP financing period.

EFC anticipates the CWSRF will be able to provide interest-free or low-interest rate financing and grant for approximately \$1 billion of clean water project costs during FFY 2020. This includes an estimated federal capitalization grant amount of \$120 million.

DOH anticipates the DWSRF will be able to provide interest-free or low-interest rate financing and grant for approximately \$231 million of drinking water project costs during FFY 2020. This includes an estimated Federal capitalization grant of \$45 million, of which a maximum of \$9 million may be made available as grants for certain eligible projects.

ELIGIBLE PROJECTS:

CWSRF - Municipal water pollution control projects eligible for CWSRF interest-free or low-interest rate financing and grant under Section 212 of the Clean Water Act (CWA) include, but are not limited to: wastewater treatment facilities and conveyance systems; combined sewer overflow abatement facilities; stormwater pollution abatement; and other municipally-owned projects or portions of projects that maintain, protect or improve water quality.

Municipal and non-municipal entities are eligible for CWSRF interest-free or low-interest rate financing and grant for non-point source projects that protect water quality under CWA Section 319 or implement an approved National Estuary Plan under CWA Section 320 which include, but are not limited to: green infrastructure; landfill leachate collection, storage and treatment; stormwater management facilities and equipment; wetland and waterbody restoration; deficient or failing decentralized septic systems; or other non-point source projects to maintain, protect or improve water quality under Section 319.

DWSRF - Municipally-owned and privately-owned community water systems and non-profit, non-community water systems may be

eligible for DWSRF subsidized financing or grant. Municipally-owned water systems that are not eligible for subsidized financing are eligible for market-rate financing at preferred rates. Projects eligible for DWSRF financing include: construction, rehabilitation, and upgrading of water treatment plants; transmission and distribution mains; storage facilities; pump stations; rehabilitation or development of new drinking water sources; consolidation of water supply services; and capital investments to improve security of drinking water systems.

INTENDED USE PLANS & PROJECT LISTING:

Eligible entities interested in financing one or more projects not listed in the Draft CWSRF IUP or Draft DWSRF IUP should submit the appropriate IUP project listing information as soon as possible but no later than Tuesday, September 3, 2019 as provided below. For assistance with the IUP listing process, please contact EFC.

For CWSRF projects, applicants must use the Project Listing and Update System (PLUS) available at <https://plus.efc.ny.gov/plus/>. An approvable engineering report, and a Smart Growth Assessment Form must be provided to EFC no later than Tuesday, September 3, 2019 for the project to appear on the Annual List of the Final CWSRF IUP.

For DWSRF projects, applicants must provide a DWSRF Listing Form and an engineering report or plans and specifications to DOH by Tuesday, September 3, 2019, or have completed construction, to be included on the Annual List in the Final DWSRF IUP.

The Draft CWSRF and DWSRF IUPs are available on EFC's website, www.efc.ny.gov.

WEBINAR:

EFC and DOH will host a webinar to review the Draft 2020 CWSRF and DWSRF IUPs on Wednesday, July 24, 2019 at 10:00 AM. This event will present an overview of the 2020 CWSRF and DWSRF IUPs, as well as provide an opportunity to answer participant questions. A notice about the webinar will be emailed to interested parties. Registration information for this webinar will be posted on EFC's website at www.efc.ny.gov.

PUBLIC MEETING & HEARING:

A joint public meeting and hearing to review the Draft 2020 CWSRF IUP and DWSRF IUP and to accept public comments on the IUPs will be held on Thursday, August 8, 2019 at 2:00 PM at the William K. Sanford Town Library, located at 629 Albany-Shaker Road, Loudonville, NY. A notice about the public meeting and hearing will be emailed to interested parties. Pre-registration is not required.

The public hearing has been scheduled at a place reasonably accessible to persons with a mobility impairment. Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within a reasonable time prior to the scheduled public hearing. The written request must be addressed to the EFC representative designated below.

DUE DATE FOR COMMENTS:

Written comments on the Draft IUPs must be submitted by 5:00 p.m. Tuesday, September 3, 2019 to:

CWSRF IUP - Mr. Timothy P. Burns, P.E., Director
Division of Engineering & Program
Management
New York State Environmental Facilities
Corporation
625 Broadway
Albany, New York 12207-2997
FAX: (518) 402-6954
E-mail: iupcomments@efc.ny.gov

DWSRF IUP - Mr. Michael Montysko, P.E.
Design Section Chief
Bureau of Water Supply Protection
New York State Department of Health
Empire State Plaza
Corning Tower Rm. 1135
Albany, New York 12237
FAX: (518) 402-7659
E-mail: bpwsp@health.ny.gov
(if sent by email please put "Draft IUP
comment" in the subject line)

EFC & DOH CONTACTS:

For assistance with the IUP listing process, or for information on the SRF programs, please contact:

CWSRF: Mr. Dwight Brown
SRF Program Services Coordinator
Division of Engineering & Program
Management
New York State Environmental Facilities
Corporation
625 Broadway
Albany, New York 12207-2997
(518) 402-7396
FAX: (518) 402-6954
E-mail: dwight.brown@efc.ny.gov
EFC website: www.efc.ny.gov

DWSRF: Mr. Michael Montysko, P.E.
Chief of Design, Bureau of Water Supply
Protection
New York State Department of Health
Empire State Plaza
Corning Tower Rm. 1135
Albany, New York 12237
(800) 458-1158 ext. 27650 or (518)
402-7650
FAX: (518) 402-7599
E-mail: michael.montysko@health.ny.gov

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

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

NOTICE OF PUBLIC HEARING

Susquehanna River Basin Commission

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on August 1, 2019, in Harrisburg, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 6, 2019, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is August 12, 2019.

DATES: The public hearing will convene on August 1, 2019, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is August 12, 2019.

ADDRESSES: The public hearing will be conducted at the Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, Pa.

FOR FURTHER INFORMATION CONTACT: Jason Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423; fax: (717) 238-2436. Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

SUPPLEMENTARY INFORMATION: The public hearing will cover the following projects:

Projects Scheduled for Action:

1. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Eagle Rock Utilities Water System, North Union Township, Schuylkill County, Pa. Application for groundwater withdrawal of up to 0.163 mgd (30-day average) from Well ER-8.

2. Project Sponsor and Facility: Chester Water Authority, East Nottingham Township, Chester County, Pa. Application for consumptive use of up to 60,000 mgd (peak day).

3. Project Sponsor and Facility: Chief Oil & Gas LLC (Loyalsock Creek), Forksville Borough, Sullivan County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20150903).

4. Project Sponsor and Facility: Dillsburg Area Authority, Carroll Township, York County, Pa. Application for groundwater withdrawal of up to 0.220 mgd (30-day average) from Well 4.

5. Project Sponsor: Dover Township. Project Facility: Dover Township Water Department, Dover Township, York County, Pa. Application for renewal of groundwater withdrawal of up to 0.350 mgd (30-day average) from Well 9 (Docket No. 19880205).

6. Project Sponsor and Facility: Duncannon Borough, Penn Township, Perry County, Pa. Application for groundwater withdrawal of up to 0.037 mgd (30-day average) from Well 7.

7. Project Sponsor and Facility: Elk Mountain Ski Resort, Inc. (Unnamed Tributary to East Branch Tunkhannock Creek), Herrick Township, Susquehanna County, Pa. Modification to change from peak day to 30-day average for surface water withdrawal and consumptive use limits (Docket No. 20031003).

8. Project Sponsor and Facility: Pennsylvania General Energy Company, L.L.C. (Loyalsock Creek), Plunketts Creek Township, Lycoming County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

9. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, Pa. Application for renewal of consumptive use of up to 2.622 mgd (peak day) (Docket No. 19890106).

10. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, Pa. Application for renewal of groundwater withdrawal of up to 1.728 mgd (30-day average) from Well UN-33 (Docket No. 19890106).

11. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, Pa. Application for renewal of groundwater withdrawal of up to 1.678 mgd (30-day average) from Well UN-34 (Docket No. 19890106).

12. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, Pa. Application for renewal of groundwater withdrawal of up to 1.728 mgd (30-day average) from Well UN-35 (Docket No. 19890106).

13. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Wappasening Creek), Windham Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20150910).

14. Project Sponsor and Facility: Rockdale Marcellus, LLC (Lycoming Creek), McIntyre Township, Lycoming County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

15. Project Sponsor and Facility: Seneca Resources Company, LLC (Marsh Creek), Delmar Township, Tioga County, Pa. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20150908).

16. Project Sponsor and Facility: XTO Energy Inc. (West Branch Susquehanna River), Chapman Township, Clinton County, Pa. Ap-

plication for renewal of surface water withdrawal of up to 2,000 mgd (peak day) (Docket No. 20150911).

Project Scheduled for Action Involving A Diversion

17. Project Sponsor and Facility: Chester Water Authority, East Nottingham Township, Chester County, Pa. Application for an out-of-basin diversion of up to 60,000 mgd (peak day) from the Susquehanna River and Octoraro Reservoir.

Opportunity to Appear and Comment:

Interested parties may appear at the hearing to offer comments to the Commission on any business listed above required to be subject of a public hearing. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing room will begin at 2:00 p.m. and Commission staff will be available for questions prior to the commencement of the hearing. Guidelines for the public hearing are posted on the Commission's website, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any business listed above required to be subject of a public hearing may also be mailed to Mr. Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/public-hearing.html. Comments mailed or electronically submitted must be received by the Commission on or before August 12, 2019, to be considered.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: June 28, 2019.

Jason E. Oyler

General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Department of State
F-2019-0602

Date of Issuance – July 17, 2019

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-2019-0602 or the "612 Dune Road Shoreline Stabilization", the applicant Michael Labadorf, is proposing to install a living shoreline consisting of a new 4' x 6' x 90' sand covered rock revetment, 315 cubic yards of beach compatible sand, beach grass plantings and a new 3.6' x 6' x 65' offshore stone breakwater and *Spartina Alterniflora* plantings. The project is located at 612 Dune Road, Town of Southampton, Suffolk County in Moriches Bay.

The applicant's consistency certification and supporting information are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2019-0602_612_Dune_Rd_App.pdf

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, August 16, 2019.

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

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

PUBLIC NOTICE

Department of State
F-2019-0658

Date of Issuance – July 17, 2019

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

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

In F-2019-0658, 1280, Corey Creek LLC is proposing to construct a fixed timber dock, consisting of a 4' x 12' landward ramp leading to a 4' x 128' fixed catwalk (constructed with open-grate decking, elevated 4' above grade of marsh); a 3' x 14' hinged ramp; and a 6' x 20' "T"-shaped float secured by two (2) 8" -diameter pilings. The project is located at 1280 Corey Creek Lane, Southold, NY 11971 on Corey Creek.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2019-0658CoreyCreekLLC.pdf>

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 August 16, 2019.

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

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

PUBLIC NOTICE

Department of State
Notice of Routine Program Change
City of Rochester

Local Waterfront Revitalization Program Amendment

PURSUANT to 15 CFR 923.84(b), the New York State Department of State (DOS) has submitted a routine program change to the federal Office of Coastal Management (OCM). The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the amendment to the City of Rochester Local Waterfront Revitalization Program (LWRP) into the State's CMP.

A major component of the State's CMP is the provision that local governments be allowed to prepare and amend Local Waterfront Revitalization Programs, which further detail and make geographically specific the State's coastal policies. Each LWRP is reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The City of Rochester LWRP amendment was prepared in partnership with the New York State Department of State and serves as an update to the City of Rochester LWRP approved in 2011. The LWRP Amendment serves as a long-term management program for the City's waterfront resources.

This LWRP amendment expands the State Coastal boundary to include waterfront lands along the entire length of the Genesee River and Erie Canal within the City boundaries. Additionally, the boundary is expanded to include the stream corridor of Densmore Creek, a tributary of Irondequoit Bay, and Tryon Park located along Irondequoit Creek. This expansion allows for comprehensive land and water use

planning for the City's major waterways in a manner that capitalizes on and strengthens the unique characteristics of each waterway.

The LWRP Amendment provides a detailed inventory and analysis of the City's waterfront revitalization area, including natural resources, historic and cultural resources, existing land and water uses, and important economic activities, as well as issues and opportunities for future development. The State coastal policies, local sub-policies, and accompanying explanations are comprehensive and determine the appropriate balance between economic development and preservation that will permit beneficial use of, and prevent adverse effects on, the City's waterfront resources. The LWRP Amendment also includes comprehensive text and graphics describing the proposed land uses and controls in the City of Rochester and the LWRP Consistency Review Law which establishes the legal framework for the review of direct and indirect City actions within the waterfront revitalization area covered by the LWRP. The Port of Rochester-Genesee River Harbor Management Plan, included in the LWRP amendment, will guide use of waters in the Port of Rochester Harbor and direct operations in the harbor to facilitate and promote sustainable economic development and tourism, preserve the unique natural environment, seek opportunities to upgrade infrastructure, and support the collaboration among public safety agencies. To advance the City's waterfront revitalization goals of promoting connectivity and accessibility, encouraging sustainability, developing four-season destination attractions, encouraging investment in waterfront development, preserving community character, and creating a healthy place to live, work and play over sixty projects are recommended in the LWRP amendment.

The draft LWRP amendment was circulated by the New York State Department of State to potentially affected State, federal, and regional agencies during a review period from November 22, 2017 to February 20, 2018. Following this review period, the Department of State coordinated responses to comments received with the City of Rochester and determined that no modifications to the LWRP amendment were necessary in response to these comments. The City of Rochester LWRP amendment was adopted by resolution by the City Council on October 18, 2017 and approved by the New York State Secretary of State on August 17, 2018, pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

The amended City of Rochester Local Waterfront Revitalization Program is available online, at http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html

Any comments on whether or not the action constitutes a routine program change to the State's approved Coastal Management Program should be submitted by August 9, 2019 to: Joelle Gore, Office for Coastal Management, National Oceanic and Atmospheric Administration, 1305 East-West Highway, Silver Spring, MD 20910.

Further information on this routine program change may be obtained from: Barbara Kendall, Office of Planning and Development, Department of State, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001, (518) 473-8928

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.

2019-0307 Matter of Amiel Savaldi Architect, P.O. Box 333 Cedarhurst, NY 11516 for a variance concerning fire safety requirements, including sprinkler requirements. Involved is an existing dwelling located at 84 Neptune Avenue, Town of Hempstead, County of Nassau, State of New York.

2019-0385 Matter of Town Of Oyster Bay, 150 Miller Place, Syosset, NY 11791 for a variance concerning, building access. Involved is a new staff facility located at 25 West End Avenue, Town of Oyster Bay, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0350 Matter of North Presbyterian Church, located at 300 North Forest Road, Town of Amherst (County of Erie), NY, for a variance concerning chair lift requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0353 Matter of Jonathon Gabel, located at Highland Heights Drive, City of Rochester (County of Monroe), NY, for a variance concerning fire apparatus roadway requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0355 Matter of Swormville Fire Department, located at 6971 Transit Road, Town of Clarence (County of Erie), NY, for a variance concerning energy code requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0356 Matter of Ledgestone Village Apartments, located at

11290 Broadway, Village of Alden (County of Erie), NY, for a variance concerning fire apparatus road requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0357 Matter of Gerald Schrieber Residence, located at 934 Erie Street, Town of Hanover (County of Chautauqua), NY, for a variance concerning exterior wall near property line requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0358 Matter of Riverwood Tech Campus, LLC, located at 4545 East River Road, Town of Henrietta (County of Monroe), NY, for a variance concerning unenclosed stairs between three stories requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0384 Matter of Campus West LLC, located at 129 West Avenue, City of Buffalo (County of Erie), NY, for a variance concerning electric meter requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0391 In the matter of Stieglitz Snyder Architecture, Jeffery

Kloetzer, 425 Franklin Street, Buffalo, NY 14202 for Syracuse City School District, for a variance concerning building and safety requirements including requirements to allow a building area to exceed the allowable building area and to exceed the allowable length of openings in a fire wall.

Involved is the addition to an existing four story educational occupancy, known as "Henninger High School" located at, 600 Robinson Street, City of Syracuse, Onondaga County, New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0395 In the matter of Rebecca Cragolin, 2889 Oneida Street, Sauquoit, NY 13456 for a variance concerning requirements for a fire rated cellar ceiling.

Involved is an existing multiple residence occupancy, three stories in height, located at 1047-1049 Mathews Avenue, City of Utica, County of Oneida, New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0396 In the matter of Tetra Tech Architects & Engineers, Christopher Glaubitz, 10 Brown Road, Ithaca, NY 14850, for Lansing Central School District concerning building code and safety requirements including requirements to allow a building area to exceed the allowable building area.

Involved is the addition to increase the area of the cafeteria in an existing educational occupancy, two stories in height, known as "Lansing Elementary School", located at 284 Ridge Road, Town of Lansing, County of Tompkins, New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0397 Matter of Town of Chili Community Center, located at 3333 Chili Ave., Town of Chili (County of Monroe), NY, for a variance concerning fire protection of roof structure requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0398 Matter of Financial Guys & Accesium Group, Inc., located at 305 Spindrift Drive, Town of Williamsville (County of Erie), NY, for a variance concerning drinking fountain requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0399 Matter of Jeremy Ratajczyk Residence, located at 1201 Bullis Road, Town of Elma (County of Erie), NY, for a variance concerning fire hydrant requirements. (Routine variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2019-0400 Matter of Home2Suites, located at 400 Bellwood Drive, Town of Greece (County of Monroe), NY, for a variance concerning fire separation requirements. (Routine variance).

PUBLIC NOTICE**REVISED**

Interagency Committee on Sustainability and Green
Procurement

Pursuant to Executive Order No. 4: Establishing a State Green Procurement and Agency Sustainability Program, April 24, 2008 ("EO 4"), the Interagency Committee on Sustainability and Green Procurement hereby gives public notice of the following:

Four green specifications were tentatively approved by the Interagency Committee on Sustainability and Green Procurement and have been posted for public comment.

These include new or amended specifications on the following topics: Adhesives, Floor Coverings, Lubricants, and Computers and Displays.

All of the above specifications are available for viewing at: <https://ogs.ny.gov/greenny/executive-order-4-tentatively-approved-specifications>

Information regarding the green specification approval process is also available at the above link.

Comments may be submitted electronically to GreenEO4@ogs.ny.gov

Comments from the public regarding the tentatively approved specifications will be accepted until October 8, 2019.

PUBLIC NOTICE

Department of Taxation and Finance
Tax Law Section 1111 Annual Adjustment
Calculation on the Base Retail Price on Cigarettes

Pursuant to the provisions of § 1111(j)(2) of the Tax Law, the Commissioner of Taxation and Finance is required to give public notice of the base retail price adjustment calculation and the resulting base retail price of cigarettes for purposes of establishing the prepaid sales tax on cigarettes imposed by § 1103 of the Tax Law. Section 1111(j) of the Tax Law provides that the base retail price of cigarettes shall be adjusted each year by a factor based upon the manufacturers' list price for a carton of standard brand cigarettes. The base retail price adjustment factor for the period September 1, 2019, through August 31, 2020, is 1.023. The base retail price adjustment calculation results in a base retail price of cigarettes effective September 1, 2019, as follows:

Package of twenty (20) cigarettes:	$10.792 \times 1.023 = \$11.040$
For each additional five (5) cigarettes:	$2.695 \times 1.023 = \$2.757$

The base retail price is adjusted annually, to take effect the first day of September.

For further information, including rates for previous periods, contact: Ann V. Fiorello, Taxpayer Guidance Division, Department of Taxation & Finance, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4137

EXECUTIVE ORDERS

Executive Order No. 188.10: Extending the Protection of School Children From Speeding Vehicles in School Zones Within the City of New York.

WHEREAS, in 2013 I signed into law Chapter 189 of the Laws of 2013, codified at N.Y. Vehicle and Traffic Law § 1180-b, to develop a system to advance school zone highway safety by use of camera technology to record and enforce speeding violations;

WHEREAS, in 2014, I signed into law an amendment to the above-referenced law authorizing the deployment of speed cameras in 140 school zones throughout the City of New York;

WHEREAS, the New York State Senate adjourned the 2018 legislative session without having acted to extend the aforementioned laws, and has yet to return to act on the same, which, without necessary emergency action taken by the NYC Council, NYC Mayor and the Executive, would have ended a program that has demonstratively and successfully protected school children, families and educators through the use of camera technology to record and enforce speeding violations in school zones;

WHEREAS, it is unacceptable to place school children at risk of serious physical harm and death in the very same places where they are to be educated, cared for, and protected, and that such school children have the right to safely access schools for the purposes of education and enrichment;

WHEREAS, based upon the foregoing, the New York State Police and the New York State Department of Transportation believe that the termination of New York City's speed camera program would result in an eminent disaster emergency that places at risk the health and safety of school children, parents, educators, school employees and volunteers within the City of New York, as well as other pedestrians, and will result in a needless increase in pedestrian fatalities and serious injuries;

WHEREAS, New York City schools are now open and have thus experienced a dramatic increase in the number of children and pedestrians in their zones; and

WHEREAS, the Mayor of New York and City Council have taken actions evidencing the local government's belief that children are in imminent danger and that a public safety emergency exist without this respective program.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby extend the state of disaster emergency declared pursuant to Executive Order No. 188 and extend all of the terms, conditions, and directives of Executive Order No. 188 for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 188 until July 17, 2019.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this seventeenth day of June in the year two thousand nineteen.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

