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**NEW YORK STATE**

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**REGISTER**

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***INSIDE THIS ISSUE:***

- Debarment of Contractors
- Notice of Intent to Submeter Electricity
- Resolution of Medical Billing Disputes

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

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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 January 5, 2020
- the 45-day period expires on December 21, 2019
- the 30-day period expires on December 6, 2019

**ANDREW M. CUOMO  
GOVERNOR**

**ROSSANA ROSADO  
SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

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# NEW YORK STATE REGISTER

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## Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* ([www.dos.ny.gov](http://www.dos.ny.gov)) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

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

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

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

Administrative Regulations Review Commission  
State Capitol  
Albany, NY 12247  
Telephone: (518) 455-5091 or 455-2731

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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.

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

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

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**Financial Services, Department of**

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- 105 / Executive Order No. 147.25: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.
- 105 / Executive Order No. 147.26: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.
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- 106 / Executive Order No. 168.29: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that Incorporate the MTA Region in the State of New York.

# 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.

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## Department of Civil Service

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

#### Jurisdictional Classification

**I.D. No.** CVS-45-19-00003-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 Education Department, by adding thereto the position of øChief Information Officer (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-45-19-00004-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 1 of Title 4 NYCRR.

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

**Subject:** Jurisdictional Classification.

**Purpose:** To classify a position in the exempt class.

**Text of proposed rule:** Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Corrections and Community Supervision, by increasing the number of positions of Special Assistant from 5 to 6.

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

**Data, views or arguments may be submitted to:** Marc Hannibal, Counsel, 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-45-19-00005-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 delete positions from and 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 Civil Service, by deleting therefrom the positions of Affirmative Action Administrator 1 (3), Affirmative Action Administrator 2 (1), Affirmative Action Administrator 4 (2) and øSecretary 1 (Spanish Language) (1) and by decreasing the number of positions of Manager Diversity and Inclusion from 2 to 1 and by adding thereto the position of Secretary 1 (Spanish Language) (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, 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-45-19-00006-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 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 Department of Economic Development, by deleting therefrom the positions of øChief, Business Marketing Program Analysis (1), øDirector, Economic Development Energy Policy Analysis (1), øDirector, Policy and Program Develop-

ment (1), Photographer 3 (2), øPublic Authority Economic Development Coordinator (1), øSecondary Materials Marketing Administrator (1) and øSkills Training Specialist 3 (1); in the Executive Department under the subheading "Office of General Services," by deleting therefrom the positions of Convention and Arts Center Lighting and Sound Assistant (1), Drafting Assistant (2) and General Services Visitor Program Production Manager (1); and, in the Executive Department under the subheading "Office of Information Technology Services," by deleting therefrom the positions of Critical Infrastructure Analyst 1 (1), øDirector Systems Design and Development (1) and Technology Enterprise Accounts Manager (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-45-19-00007-P

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

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

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

**Subject:** Jurisdictional Classification.

**Purpose:** To delete a position from and classify a position 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 exempt class, in the Department of Transportation, by deleting therefrom the position of Director Affirmative Action Programs and by adding thereto the position of Director Equal Opportunity; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Transportation, by deleting therefrom the positions of Affirmative Action Administrator 1 (3), øAffirmative Action Administrator 2 (2), øAffirmative Action Administrator 4 (1) (Retroactive to March 31, 1988), øAffirmative Action Administrator 5 (2), Photolog Technician (1) and Supervisor of Transportation Audio-visual Training and Production (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, 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-45-19-00008-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 3 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 labor class.

**Text of proposed rule:** Amend Appendix 3 of the Rules for the Classified Service, listing positions in the labor class, under the heading All State Departments and Agencies, by deleting therefrom the positions of Executive Mansion Aide 1 and Executive Mansion Aide 2 and by adding thereto the position of Supervisor Facility Operations.

**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-45-19-00009-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 1 of Title 4 NYCRR.

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

**Subject:** Jurisdictional Classification.

**Purpose:** To delete a position from and classify a position in the exempt class.

**Text of proposed rule:** Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Family Assistance under the subheading "Office of Temporary and Disability Assistance," by deleting therefrom the position of Investigator 1 and by increasing the number of positions of Deputy Commissioner from 6 to 7.

**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.

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**Department of Financial Services**

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**NOTICE OF ADOPTION**

**Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure**

**I.D. No.** DFS-30-18-00007-A

**Filing No.** 959

**Filing Date:** 2019-10-22

**Effective Date:** 2020-01-01

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

**Action taken:** Repeal of sections 52.17(a)(36), (37), 52.18(a)(11), (12); addition of sections 52.1(s) and 52.74 to Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3216, 3217, 3221, 4303; L. 2019, ch. 25; L. 2019, ch. 57, part M

**Subject:** Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure.

**Purpose:** To conform with chapter 25 of the Laws of 2019 and part M of chapter 57 of the Laws of 2019.

**Text of final rule:** Paragraphs (36) and (37) of section 52.17(a) and paragraphs (11) and (12) of section 52.18(a) are repealed.

Section 52.1(s) is added as follows:

(s) *It is the policy of the State of New York to protect women's access to comprehensive and affordable contraception. One of the greatest impediments to gender equality is the inability to make justified reproductive health decisions or decide when and whether to become a parent. Contraception has been a critical tool for women to gain economic and social independence. The use, accessibility, and availability of contraception also reduces the rate of unintended pregnancy and abortion. Irrespective of whether the federal government rolls back access to reproductive health care, the State of New York will protect women's unassailable right to their reproductive freedom. Chapter 25 of the Laws of 2019 and Part M of Chapter 57 of the Laws of 2019 amended Insurance Law sections 3216(i)(17)(E), 3221(l)(16), and 4303(cc) to require every policy that provides medical, major medical, or similar comprehensive type coverage to provide broad contraceptive coverage. Chapter 25 also requires the superintendent to promulgate regulations establishing a process, including time-frames, for an insured, an insured's designee, or an insured's health care provider to request coverage of a non-covered contraceptive drug, device, or product. Section 52.74 of this Part establishes such a process.*

Section 52.74 is added as follows:

§ 52.74 *Coverage of contraceptive drugs, devices, or products.*

(a) Pursuant to Insurance Law sections 3216(i)(17)(E), 3221(l)(16), and 4303(cc), every policy that provides medical, major medical, or similar comprehensive type coverage shall provide coverage for all FDA-approved contraceptive drugs, devices, and other products. Where the FDA has approved one or more therapeutic and pharmaceutical equivalent, as defined by the FDA, versions of a contraceptive drug, device, or product, an insurer shall not be required to include all such therapeutic and pharmaceutical equivalent versions in its formulary, as long as at least one is included and covered without cost-sharing. If the covered contraceptive drug, device, or product is not available or is deemed medically inadvisable, an insurer shall provide coverage for an alternate therapeutic and pharmaceutical equivalent version of the contraceptive drug, device, or product without cost-sharing.

(b)(1) Pursuant to Insurance Law sections 3216(i)(17)(E), 3221(l)(16), and 4303(cc), an insured, an insured's designee, or an insured's health care provider may submit a request to an insurer for coverage of a non-covered contraceptive drug, device, or product. Such request shall indicate whether the covered contraceptive drug, device, or product is not available or is medically inadvisable for the insured. An insurer may require that the request for coverage be in writing. The insurer shall use the exception form promulgated by the superintendent if the insurer requires a written request.

(2) If the attending health care provider, in his or her reasonable professional judgment, determines that the use of a specific non-covered therapeutic or pharmaceutical equivalent of a drug, device, or product is warranted, the health care provider's determination shall be final.

(3)(i) The insurer shall provide coverage of the non-covered contraceptive drug, device, or product within 72 hours of receipt of a standard request not based on exigent circumstances. The insurer shall provide coverage of the non-covered contraceptive drug, device, or product within 24 hours of receipt of an expedited request based on exigent circumstances. In both situations, the insurer shall provide such coverage without cost-sharing.

(ii) For purposes of this paragraph, "exigent circumstances" means a circumstance under which an insured is suffering from a health condition that may seriously jeopardize the insured's life, health, or ability to regain maximum function or is undergoing a current course of treatment using a non-covered contraceptive drug, device, or product.

**Final rule as compared with last published rule:** Nonsubstantive changes were made in section 52.74(a) and (b)(2).

**Revised rule making(s) were previously published in the State Register on August 14, 2019.**

**Text of rule and any required statements and analyses may be obtained from:** Colleen Rumsey, New York State Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 486-7815, email: Colleen.Rumsey@dfs.ny.gov

#### **Revised Regulatory Impact Statement**

A revised Regulatory Impact Statement ("RIS") is not required for the adoption of the Fifty-Fourth Amendment to 11 NYCRR 52 (Insurance Regulation 62) because the non-substantive revisions to the regulation do not require a change to the previously published RIS.

#### **Revised Regulatory Flexibility Analysis**

A revised Regulatory Flexibility Analysis for Small Businesses and Local Governments ("RFA") is not required for the adoption of the Fifty-Fourth

Amendment to 11 NYCRR 52 (Insurance Regulation 62) because the non-substantive revisions to the regulation do not require a change to the previously published RFA.

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

A revised Rural Area Flexibility Analysis ("RAFA") is not required for the adoption of the Fifty-Fourth Amendment to 11 NYCRR 52 (Insurance Regulation 62) because the non-substantive revisions to the regulation do not require a change to the previously published RAFA.

#### **Revised Job Impact Statement**

A revised Job Impact Statement ("JIS") is not required for the adoption of the Fifty-Fourth Amendment to 11 NYCRR 52 (Insurance Regulation 62) because the non-substantive revisions to the regulation do not require a change to the previously published JIS.

#### **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 New York State Department of Financial Services (the "Department") received comments from associations that represent health plans and health maintenance organizations (hereinafter, "insurers") and from advocacy organizations, including an organization that represents entities that provide primary and preventative sexual and reproductive health care services, an organization that represents obstetricians and gynecologists, and an organization that works to protect and advance the progress of women and their families (the "commenters"). Most of the comments supported the amendment. However, some of the commenters requested changes to the amendment or clarifications regarding the law on which the amendment is based.

**Comment:** The proposed amendment implements Chapter 25 of the Laws of 2019 and Part M of Chapter 57 of the Laws of 2019 ("Chapters 25 and 57") by establishing time frames and other standards regarding an insured's request for coverage of a contraceptive drug, device, or product that is not covered by the insurer (the "exception process"). Two commenters suggested requiring insurers to clearly communicate, in both plan materials and on their websites, directions for submitting an exception request.

**Response:** The Department expects insurers to provide information regarding the exception process to insureds, including making the standard exception form readily available. The Department does not think it is currently necessary to revise the amendment to explicitly require an insurer to provide information about the exception process in plan materials and on its website. Thus, the Department did not make any changes in response to this comment.

**Comment:** The amendment requires insurers to accept the standard exception form that is developed by the Superintendent of Financial Services (the "Superintendent") if the insurer requires requests to be made in writing. Three commenters requested clarification that the phrase "in writing" applies to electronic communications. The commenters also requested clarification that the only method of communication that would not require use of the standard exception form is verbal communication. They also requested that insurers implementing a verbal process have adequately trained staff to process such requests.

**Response:** A request "in writing" includes requests submitted by U.S. mail or electronically, including through the internet, by e-mail, or by fax. Thus, the standard exception form applies to all written requests, including when submitted electronically. Additionally, if an insurer implements a verbal process, the Department expects that the insurer's staff will be adequately trained to handle such requests.

The Department did not make any changes in response to this comment.

**Comment:** Two commenters requested that the Department engage a range of stakeholders to provide input on the standard exception form before it is implemented.

**Response:** The Department intends to engage stakeholders to obtain feedback on the standard exception form before it is finalized and did not make any changes in response to this comment.

**Comment:** One commenter suggested that since the Department has not yet released a draft standard exception form, the Department provide for a transitional period for insurers to comply with the amendment.

**Response:** The Department intends to finalize the standard exception form as soon as possible and will work with insurers on implementation. Thus, the Department did not make any changes in response to this comment.

**Comment:** Two commenters requested that the Department require insurers to provide notification of receipt of the standard exception request and confirm its processing to mitigate delays in coverage.

**Response:** The amendment requires insurers to provide coverage within 72 hours for a standard exception request or 24 hours for an exception

request based on exigent circumstances. Due to these short time frames, an acknowledgement to confirm receipt may not be timely. However, if an insurer receives an incomplete exception request or an exception request in a format other than the standard exception form promulgated by the Superintendent, the Department expects the insurer to immediately notify the submitting party of any missing information and provide the correct standard exception form. Therefore, the Department did not make any changes to the amendment in response to this comment.

Comment: One commenter requested clarification that if the insurer requires a written request, it may require use of the standard exception form by health care providers and insureds.

Response: An insurer may require that an exception request be submitted in writing. If the insurer requires that the request be submitted in writing, the insurer must use the standard exception form prescribed by the Superintendent pursuant to new Section 52.74(b)(1). Since insurers must use the form prescribed by the Superintendent, this means that this is the only form health care providers and insureds may use to submit their written requests. Thus, the Department did not make any changes to the amendment in response to this comment.

Comment: One commenter requested clarification that the term “attending health care provider”, as used in the amendment, has the same meaning as the term “attending provider” used in federal guidance.

Response: The term “attending health care provider”, as used in the amendment, is intended to have the same meaning as the term “attending provider” used in federal guidance. “Attending health care provider” is read to mean an appropriately licensed, registered, or certified health care provider that is recommending the treatment requested pursuant to the exception request. It does not include insurers. The term “attending health care provider” was used in this amendment for consistency with terms used in the Insurance Law and regulations promulgated thereunder. The Department did not make any changes to the amendment in response to this comment.

Comment: Two commenters noted that Chapters 25 and 57 require coverage for contraceptive drugs, devices, and products without a deductible, coinsurance, copayment, or any other cost-sharing requirement. These commenters allege that the Department is interpreting Chapters 25 and 57 to mean that all contraceptive drugs, devices, or products covered by the insurer must be covered without cost-sharing and that such interpretation goes beyond the letter of the law. Both commenters noted that because the regulation requires coverage for all covered contraceptive drugs, devices, or products without cost-sharing, insurers may remove certain contraceptive drugs, devices, or products from their formularies. Additionally, one commenter noted that insurers with formularies that cover all drugs may move to formularies that cover only a limited list of drugs.

Response: The Department disagrees with the commenters’ interpretation. Chapters 25 and 57 specifically require coverage for all U.S. Food and Drug Administration (“FDA”)–approved contraceptive drugs, devices, or products. Where the FDA has approved one or more therapeutic and pharmaceutical equivalent(s), the insurer is not required to cover all therapeutic and pharmaceutical equivalents on its formulary, so long as one is included and covered without cost-sharing. Further, in Chapters 25 and 57, it clearly states that policies or contracts subject to Chapters 25 and 57 shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided pursuant to the law. Thus, under a plain reading of Chapters 25 and 57, any contraceptive drug, device, or product covered by an insurer must be covered without imposition of a deductible, coinsurance, copayment, or any other cost-sharing requirement. The intent of Chapters 25 and 57 was to provide broad access to contraceptive drugs, devices, or products and eliminate barriers to coverage, such as cost-sharing requirements. Further, if insurers with formularies that cover all drugs limit access to contraceptive drugs, devices, or products by establishing a formulary that covers only a limited list of drugs, they must provide coverage for all therapeutic and pharmaceutical non-equivalent contraceptive drugs, devices, or products, and permit an insured to access a non-covered contraceptive drug, device, or product through the exceptions process.

Thus, the Department did not make any changes to the amendment in response to this comment.

Comment: One commenter noted that insurers should only be required to cover one of the FDA-approved 18 methods for contraception without cost-sharing as required by federal law and regulation.

Response: The Insurance Law, even before Chapters 25 and 57, required broad coverage of contraceptives; however, cost-sharing could be imposed on additional contraceptives beyond one in each of the FDA-approved 18 methods. The commenter’s interpretation is not consistent with Chapters 25 and 57, which specifically provide that where the FDA has approved one or more therapeutic and pharmaceutical equivalents, the insurer is not required to cover all therapeutic and pharmaceutical equivalents on its formulary, so long as one is included and covered without cost-sharing.

The Chapters 25 and 57 requirement for coverage of all therapeutic and pharmaceutical non-equivalent contraceptive drugs, devices, or products without cost-sharing exceeds the 18 FDA-approved methods of contraception required to be covered without cost-sharing pursuant to federal law and regulation.

Thus, the Department did not make any changes to the amendment in response to this comment.

Comment: One commenter suggested that the Department revise Section 52.74(b)(3) to clarify that the insurer makes the determination regarding whether a covered contraceptive drug, device, or product is medically inadvisable for the insured.

Response: The suggested change is not consistent with Chapters 25 and 57. Chapters 25 and 57 state that if the covered therapeutic and pharmaceutical equivalent versions of a contraceptive drug, device, or product are not available or are deemed medically inadvisable, the policy or contract shall provide coverage for an alternative therapeutic and pharmaceutical equivalent version of the contraceptive drug, device, or product without cost-sharing. Chapters 25 and 57 further provide that if the attending health care provider, in his or her reasonable professional judgment, determines that the use of a non-covered therapeutic or pharmaceutical equivalent of a drug, device, or product is warranted, the health care provider’s determination shall be final. The attending health care provider, not the insurer, makes the determination whether the covered therapeutic and pharmaceutical equivalent versions of a contraceptive drug, device, or product are not available or are deemed medically inadvisable.

Therefore, the Department did not make any changes to the amendment in response to this comment.

Comment: One commenter requested clarification that the health condition that may seriously jeopardize the insured’s life, health, or ability to regain maximum function in the definition of “exigent circumstances” must benefit from or relate to the contraceptive drug, device, or product request.

Response: The intent of the amendment is to implement the exceptions process contemplated by Chapters 25 and 57. That law establishes coverage for contraceptive drugs, devices, or products. Therefore, it would be expected that the health condition that may seriously jeopardize the insured’s life, health, or ability to regain maximum function in the definition of “exigent circumstances” benefit from or relate to the contraceptive drug, device, or product that is the subject of the exception request. As a result, the Department did not make any changes to the amendment in response to this comment.

Comment: One commenter suggested deleting a reference to “therapeutic and pharmaceutical equivalent versions” in Section 52.74(a) because it is confusing and unnecessary and adding the “specific” before “non-covered” in Section 52.74(b)(2) for clarification.

Response: The Department made the edits because they are non-substantive and clarified the language of the amendment.

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## Department of Health

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### NOTICE OF EXPIRATION

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

#### Office-Based Surgery Practice Reports

I.D. No.	Proposed	Expiration Date
ENV-42-18-00008-P	October 17, 2018	October 17, 2019

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

#### Medical Use of Marihuana

**I.D. No.** HLT-45-19-00001-P

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

**Proposed Action:** Amendment of section 1004.11 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 3369-a

**Subject:** Medical Use of Marihuana.

**Purpose:** To allow NYS hemp growers to sell hemp-derived cannabidiol to the Registered Organizations to reduce the cost of manufacturing.

**Text of proposed rule:** Subdivision (n) of section 1004.11 is amended to read as follows:

\* \* \*

(n) No synthetic marijuana additives nor any cannabinoid preparation not produced by a registered organization in an approved manufacturing facility shall be used in the production of any medical marijuana product[.]; *provided, however, that a registered organization may use hemp, or extracts derived from hemp, grown and processed under the authority of the New York State Department of Agriculture and Markets in the manufacturing of medical marijuana products.*

**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.

#### Regulatory Impact Statement

##### Statutory Authority:

The Commissioner of Health is authorized pursuant to section 3369-a of the Public Health Law (PHL) to promulgate rules and regulations necessary to effectuate the provisions of Title V-A of Article 33 of the PHL.

##### Legislative Objectives:

The legislative objective of Title V-A is to comprehensively regulate the manufacture, sale and use of medical marijuana, by striking a balance between potentially relieving the pain and suffering of those individuals with serious conditions, as defined in section 3360(7) of the Public Health Law, and protecting the public against risks to its health and safety.

##### Needs and Benefits:

Regulatory amendments to subdivision (n) of section 1004.11 are necessary to allow registered organizations the ability to use extracts derived from hemp, such as cannabinoids and terpenes, as additives to the registered organization's approved medical marijuana products. This use is limited to hemp and extracts derived from hemp, and only when grown and produced under the authority of the New York State Department of Agriculture and Markets. Allowing registered organizations to use hemp and its derivatives will help to reduce registered organizations' manufacturing costs, thereby reducing costs to patients.

##### Costs:

##### Costs to the Regulated Entity:

The regulatory amendments do not impose additional costs to regulated entities. Registered organizations will likely benefit from a reduction in manufacturing costs as a result of the allowance of hemp and extracts derived from hemp.

##### Costs to Local Government:

The regulatory amendments do not require local governments to perform any additional tasks; therefore, it is not anticipated to have an adverse fiscal impact.

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

With the availability of hemp and hemp extracts, additional effort will be required to review product proposals, test new medical marijuana products, and monitor compliance as the Department continues to balance the need to make medical marijuana products available at lower costs while protecting public health and safety. Any additional workload will be handled within existing resources.

##### Local Government Mandates:

These amendments do not impose any new programs, services, duties or responsibilities on local government.

##### Paperwork:

The regulatory amendments do not impose any new recordkeeping or paperwork requirements.

##### Duplication:

No relevant rules or legal requirements of the Federal and State governments duplicate, overlap or conflict with these regulations.

##### Alternatives:

An alternative to the regulatory amendments would be to not make any changes to the regulation. However, this alternative was not adopted since the regulatory amendments will help to lower registered organizations' manufacturing costs, ultimately resulting in lower-cost medical marijuana products for patients, without compromising patient safety.

##### Federal Standards:

Federal requirements do not include provisions for a medical marijuana program.

##### Compliance Schedule:

There is no compliance schedule imposed by these amendments, which shall be effective upon publication of a Notice of Adoption in the New York State Register.

#### Regulatory Flexibility Analysis

No regulatory flexibility analysis is required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act. The amendment does

not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, record keeping or other compliance requirements on small businesses or local governments.

#### Rural Area Flexibility Analysis

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

#### Job Impact Statement

No job impact statement is required pursuant to section 201-a(2)(a) of the State Administrative Procedure Act. It is apparent, from the nature of the amendment, that it will not have an adverse impact on jobs and employment opportunities.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Licensed Home Care Services Agencies (LHCSAs)

**I.D. No.** HLT-45-19-00002-P

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

**Proposed Action:** Amendment of Subpart 765-1 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 3612

**Subject:** Licensed Home Care Services Agencies (LHCSAs).

**Purpose:** To implement changes to public need and financial feasibility review for applications for HCSAs licensure and change of ownership.

**Substance of proposed rule (Full text is posted at the following State website: [www.health.ny.gov/Laws & Regulations/Proposed Rule-making](http://www.health.ny.gov/Laws & Regulations/Proposed Rule-making)):** The proposal would amend various provisions of Part 765 of Title 10 NYCRR to implement recently enacted legislation.

Section 765-1.2. Applications for licensure. This section will be amended to require applications for licensure as a Licensed Home Care Service Agency (LHCSA) to include information on the public need for additional LHCSAs and the financial resources of the proposed agency as required by law, in addition to the existing requirement of a character and competence review. Amendments would specify that applications for licensure based on change of ownership for LHCSAs actively serving at least 25 patients shall only be evaluated based on financial feasibility and the character and competence of the proposed operator.

Section 765-1.3. Requirements for approval. This section will be amended to require applicants for licensure as a LHCSA to satisfactorily demonstrate to the Public Health and Health Planning Council (PHHPC) the public need for the agency and the financial resources of the agency in order to be approved for licensure, in addition to the existing requirement of a character and competence review.

Section 765-1.4. Amendments to applications. This section will be amended to add to the list of actions that constitute an amendment to a pending application for licensure for a home care services agency, requiring review and approval by PHHPC. The proposal will require that any significant change to the proposed patient capacity, any change in the agency's proposed service area, and any significant change to the agency's proposed annual operating budget will constitute an amendment and require approval by PHHPC, in addition to the existing language stating that changes to services and changes in the principles of the applicant as considered by PHHPC are amendments. A new section will be added specifying that failure to disclose this information prior to the issuance of a license shall be grounds for revocation, limitation, or annulment of the approval for licensure. This is consistent with the approval processes for other types of home care agencies including certified home health agencies and hospices.

This proposal would also add a new section 765-1.16, Determinations of public need, to detail the public need methodology to be used to implement recent statutory changes. Subdivisions of this new section will include planning area designations, determination of public need, public need exemption criteria and additional requirements for applications seeking PHHPC approval, and priority considerations for the Department.

The regulations will affect all agencies applying for licensure as a home care services agency or for changes of ownership on or after April 1, 2020.

**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.

**Regulatory Impact Statement**

**Statutory Authority:**  
Public Health Law (PHL) § 3612 authorizes the Public Health and Health Planning Council (PHHPC) to adopt and amend rules and regulations to effectuate the provisions and purposes of PHL Article 36 with respect to licensed home care service agencies (LHCSAs). Additionally, Section 9-b, Part B of Chapter 57 of the Laws of 2018 (codified at Public Health Law § 3605[4]) requires PHHPC to consider the public need for new LHCSAs as well as the financial resources and revenues of the proposed LHCSA when PHHPC reviews initial licensure and change of ownership applications.

**Legislative Objectives:**  
PHL Article 36 was intended to promote the quality of home care services provided to residents of New York State and to assure adequate availability as a viable alternative to institutional care.

**Needs and Benefits:**  
The proposed regulation is necessary to implement statutory changes required under Section 9-b, Part B of Chapter 57 of the Laws of 2018. The proposal will revise Part 765 of Title 10 NYCRR to include the relevant statutory requirements related to the new public need determination for licensed home care services agencies, the review of the proposed agency's financial feasibility, and the process for reviewing applications for licensure.

Part 765 of Title 10 of the NYCRR regulates the approval and licensure of home care services agencies. Sections 765-1.2 and 765-1.3 outline what is required to be included in applications for licensure as a home care services agency and the information that an applicant for licensure must supply to PHHPC for approval. Section 765-1.4 includes what types of changes to a pending application for licensure constitute an amendment and what an applicant must submit to PHHPC for the amendment to be considered.

These current regulations were developed to govern the approval of licensure applications for home care services agencies when PHHPC was only required to conduct a character and competence review of applicants and was prohibited from considering the public need for these agencies under Public Health Law. To comply with changes made to the Public Health Law under Section 9-b, Part B of Chapter 57 of the Laws of 2018, the regulations must be updated to include the new requirement of public need review and financial feasibility review.

With the existing regulatory prohibition on public need consideration for new agencies, the Department of Health (Department) and PHHPC have been unable to limit the growth of unnecessary agencies. Currently, there are approximately 1,100 approved licensed home care operators with over 1,300 licensed, registered sites statewide. An average of 40 new LHCSA sites have been approved on an annual basis over the past ten years. There is no consideration of the need for additional services based on the public demand. Applications for licensure are submitted to the Department and are subject to approval by PHHPC. As part of the application process, applications are reviewed to ensure the character, competence, and standing in the community of the applicant's incorporators, directors, sponsors, stockholders, or operators. Applications must be submitted for initial licensure, purchase or mergers, change of stock ownership, or other acquisition or control change.

Given the new statutory mandate, new regulations are required to define the public need methodology and the process that will be used to apply the methodology to new licensure applications. The public need methodology will also assist the Department in planning for the appropriate number of licensed agencies and may also inform policy and practice around the types of services needed, underserved populations that require additional focus, and other factors that contribute to the long term care landscape, such as workforce issues or transportation infrastructure.

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

The rule does not impose any new implementation or compliance costs on regulated parties.

**Costs to the State and Local Governments:**  
The proposed changes are not expected to impose any costs upon New York State or local governments.

**Costs to the Department of Health:**  
Additional work by Department staff to determine public need and to process applications with the new requirements will be managed with existing resources.

**Local Government Mandates:**  
The proposed regulations do not impose any new mandates on local governments.

**Paperwork:**  
Consistent with the statutory provisions, the proposed regulations will require a new application form to be completed by home care services agencies seeking initial licensure or change of ownership on or after April 1, 2020. New documentation will be required as part of the application process that was not included in the application for licensure prior to April 1, 2020.

**Duplication:**  
There are no relevant rules or other legal requirements of the Federal or State governments that duplicate, overlap, or conflict with this rule.

**Alternatives:**  
There are no viable alternatives to this proposal. The regulatory changes are necessary to implement a statutory mandate, which directs PHHPC to include public need and financial feasibility in the review process for initial applications for licensure of home care services agencies.

One alternative considered including the development of a county normative use rate using the number of cases and visits/hours for LHCSA services for each agency in a planning area as reported on the LHCSA Statistical Report. This alternative may account for variation in the amount of services used per patient, however, and it is a more complex methodology that may lead to greater error in ongoing need methodology calculations. As such, this option was rejected as unviable.

A second alternative considered establishing estimates of need based on demographics. Under this proposal, the Department would undertake a review of the total number of residents in each planning area with a reported disability resulting in a limitation in completing activities of daily living. The information could be broken down by age group and projected to accommodate the expected growth in the older adult population. This method to determine use rates may better reflect the number of residents in need of care, rather than using the patient count. However, reporting on disease and disability status and limitations in functional abilities has proven difficult, as various definitions of disability exist with multiple reporting methods. Therefore, this alternative was also rejected.

**Federal Standards:**  
The proposed regulations do not duplicate or conflict with any federal regulations.

**Compliance Schedule:**  
The amendments will take effect on April 1, 2020.

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

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

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

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## Metropolitan Transportation Agency

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**EMERGENCY  
RULE MAKING**

**Debarment of Contractors**

**I.D. No.** MTA-23-19-00006-E

**Filing No.** 952

**Filing Date:** 2019-10-18

**Effective Date:** 2019-10-18

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

**Action taken:** Addition of Part 1004 to Title 21 NYCRR.

**Statutory authority:** Public Authorities Law, sections 1279-h, 1265(5) and 1266(4)

**Finding of necessity for emergency rule:** Preservation of general welfare. **Specific reasons underlying the finding of necessity:** The emergency rule is necessary to immediately implement the recent amendment to the Public Authorities Law, enacted as part of the 2020 Budget, which added a new Section 1279-h. That new statutory provision, effective immediately on enactment on April 12, 2019 and applicable to all contracts in effect on or entered into after that date, requires the Metropolitan Transportation Authority to establish "pursuant to regulation" a process for debarment of contractors under certain circumstances specified in the statute.

**Subject:** Debarment of contractors.

**Purpose:** To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors.

**Text of emergency rule:** A new Part 1004 is added to read as follows:

**Section 1004.1 Purpose**

(a) This Part establishes rules and regulations governing the debarment of contractors by the Metropolitan Transportation Authority and its subsidiaries and affiliates, as required by Section 1279-h of the Public Authorities Law, which was enacted on and made effective immediately as of April 12, 2019. Once adopted, it shall apply to all contracts that were in effect on, or entered into after, April 12, 2019.

(b) Nothing in this Part shall preclude or otherwise limit the Authority, as defined below, from assessing the responsibility of any bidder, contractor, subcontractor, or supplier pursuant to its All-Agency Responsibility Guidelines or from prohibiting any bidder, contractor, subcontractor, or supplier found to be not responsible from responding to new and future contract solicitations or from being awarded new and future contracts or subcontracts.

**Section 1004.2 Definitions**

As used in this Part, the following terms shall have the following meanings unless otherwise specified:

(a) Authority means the Metropolitan Transportation Authority, the Long Island Rail Road Company, the Metro-North Commuter Railroad Company, the Staten Island Rapid Transit Operating Authority, MTA Bus Company, MTA Capital Construction Company, the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, or the Triborough Bridge and Tunnel Authority, or any combination thereof, as the case may be.

(b) Contract means an enforceable agreement including a task order entered into by a contractor and the Authority for goods or services, including without limitation construction services.

(c) Contractor means any person, partnership, firm, corporation, or association, including any consultant, supplier or vendor, with whom the Authority has entered into a construction, consultant, equipment, supply, or services contract, but shall not include the federal government, a state agency, any public authority or public benefit corporation, or any unit of local government.

(d) Debar or debarment means the prohibition of a contractor from responding to any contract solicitation of or entering into any contract with the Authority for five years from a final debarment determination as provided in section 1004.6 of this Part.

(e) Contract Modification means amendments, change orders, additional work orders, or modifications with respect to a contract that are executed in accordance with the terms and conditions of such contract.

(f) Substantially Complete, unless otherwise defined in the contract at issue, means the contractor's completion of the work as necessary for the Authority's beneficial use of the applicable project or improvements or the Authority's acceptance of those goods or services required to be delivered by a deadline.

(g) Total adjusted time frame means (1) with respect to all work under a contract, the period of time that a contract provides for a contractor to substantially complete the work, as may have been extended or reduced by one or more contract modifications, and (2) with respect to contracts for goods or services, as to any portion of the goods or services that must be delivered by a deadline, the period of time that the contract provides for such delivery, as may have been extended or reduced by one or more contract modifications.

(h) Total adjusted contract value means the original awarded amount of the contract plus or minus the aggregate net amount of all contract modifications.

**Section 1004.3 Grounds for Debarment**

(a) The Authority, including all contracting personnel therein, must debar a contractor if it makes a final determination that the contractor has:

(1)(i) failed to substantially complete all the work within the total adjusted time frame by more than ten percent of the total adjusted time frame, or (ii) failed to progress the work in a manner so that it will be substantially complete within ten percent of the total adjusted time frame and has refused or in the opinion of the Authority is unable to accelerate the work so that it will be substantially complete within ten percent of the

total adjusted time frame, and such refusal or failure is an event of default under the contract; or (iii) with respect to contracts for goods or services, as to any portion of the goods or services that must be delivered by a deadline, materially failed to deliver such goods or services by more than ten percent of the total adjusted time frame.

(2) asserted a claim or claims for payment of additional amounts beyond the total adjusted contract value and one or more of such claims are determined to be invalid under the contract's dispute resolution process or if no such process is specified in the contract in a final determination made by the chief engineer or otherwise by the Authority, and together the sum of any such invalid claims exceeds by ten percent or more the total adjusted contract value.

(3) The Authority, including all contracting personnel therein, must commence a debarment procedure where there is any evidence that any specific provision referenced in provision (a)(1) and (a)(2) have been violated, and the Authority and its contracting personnel have no discretion to excuse or justify violations of any provision referenced in provision (a)(1) and (a)(2).

**Section 1004.4 Notice of Intent to Debar and Written Response**

(a) Upon the occurrence of one or both of the circumstances set forth in section 1004.3 of this Part, the Authority shall provide a written notice of intent to debar to the contractor, advising the contractor that it will hold a hearing to make a final determination as to whether a ground for debarment exists. At a minimum, the notice of intent to debar shall:

(1) state the facts upon which the Authority made its preliminary finding that one or both statutory grounds for debarment exists, including the basis for determining as provided in section 1004.4 of this Part that the contractor failed to timely Substantially Complete or the Authority's calculation of costs arising from claims determined to be invalid, and

(2) provide the contractor 30 calendar days after the date of the notice of intent to debar to respond.

(b) A contractor's written response must address each of the factual statements made by the Authority in its notice of intent to debar and state in detail any defenses including but not limited to force majeure.

(c) After submission by the contractor of a written response within the time permitted, or after the failure by the contractor to submit a written response within such time, a debarment hearing will be held, as provided in section 1004.5 of this Part.

(d) Subject to section 1004.1(b) of this Part, a contractor who has received a notice of intent to debar may respond to other contract solicitations issued by the Authority pending the hearing and a final debarment determination, if any; provided, however, that if the Authority awards such contractor a new contract or contracts after having provided the contractor a notice of intent to debar, and such contractor is later debarred by the Authority pursuant to such notice, the Authority must view such debarment as cause for termination under such new contract or contracts and thereupon terminate any such new contracts for cause.

**Section 1004.5 Debarment Hearing**

(a) A debarment hearing shall be conducted within:

(1) 21 calendar days from the Authority's receipt of a contractor's written response to a notice of intent to debar or within such further reasonable time that the authority shall proscribe; or

(2) 14 calendar days after the date the contractor's response was due, if no response is received from the contractor within the deadline.

(b) A recording or transcript of the debarment hearing shall be made.

(c) The debarment hearing shall be conducted by a panel of at least three managerial level employees of the MTA designated by majority vote of the Authority's board; provided that no employee who has taken part in the award of any Authority contract to such contractor or overseen such contractor's performance on any Authority contract may serve on a panel considering the debarment of such contractor.

(d) A contractor shall have the right to appear by and be represented by counsel at the debarment hearing and any hearings in connection with other proceedings conducted pursuant to this Part.

(e) A contractor at the debarment hearing may assert any and all defenses to debarment including without limitation force majeure.

(f) If a contractor fails to appear at a debarment hearing, the panel may proceed with the hearing on the basis of the record before it and reach a final determination without providing for any further appearance or submission by the contractor.

**Section 1004.6 Final Debarment Determination**

(a) After the hearing is completed, the panel shall determine if one or both of the grounds for debarment as set forth in section 1004.3 of this Part exists.

(b) The panel's determination shall be set forth in writing. If the final debarment determination is that one or both of the grounds for debarment exist, the contractor shall be debarred for five years from the date of the final debarment determination. The panel may, in its discretion, also debar any of (1) the contractor's parent(s), subsidiaries and affiliates; (2) any joint venture (including its individual members) and any other form of

partnership (including its individual members) that includes a contractor or a contractor's parent(s), subsidiaries, or affiliates of a contractor; (3) a contractor's directors, officers, principals, managerial employees, and any person or entity with a ten percent or more interest in a contractor; (4) any legal entity controlled, or ten percent or more of which is owned or controlled, by a contractor, or by any director, officer, principal, managerial employee of contractor, or by any person or entity with a 10 percent or greater interest in contractor, including without limitation any new entity created after the date of the notice of intent to debar.

(c) The panel's determination shall be timely submitted to the board of the Authority for ratification. The board of the Authority shall review such determination and either: (i) ratify the determination or; (ii) remit the determination to the panel for further consideration of facts or circumstances identified in the remission. The facts or circumstances identified in the remission shall be reviewed by the panel who shall then, after reconsideration, make a determination. Such determination shall then be resubmitted to the Authority board for ratification or nullification. Upon initial Authority board ratification of a panel determination, or Authority board ratification or nullification of a panel determination made after reconsideration, such determination shall be deemed final.

(d) Timely and complete compliance with each and all of the requirements of this Part shall be a precondition to any legal challenge that the contractor may be permitted to bring arising out of its debarment pursuant to Section 1279-h of the Public Authorities Law.

(e) Pursuant to Executive Order 192, the Authority shall notify the New York State Office of General Services of any final debarment determination within five days of the date thereof.

**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. MTA-23-19-00006-EP, Issue of June 5, 2019. The emergency rule will expire December 16, 2019.

**Text of rule and any required statements and analyses may be obtained from:** Peter Sistrom, Metropolitan Transportation Authority, 2 Broadway, 9th Floor, New York, NY 10004, (212) 878-7176, email: psistrom@mtahq.org

#### **Regulatory Impact Statement**

##### Statutory Authority:

Section 1266(4) of the Public Authorities Law provides that the Metropolitan Transportation Authority (MTA) may establish rules and regulations as it may deem necessary, convenient, or desirable for the use and operation of any transportation facility and related services operated by the MTA. Newly enacted Section 1279-h of the Public Authorities Law, enacted on April 12, 2019 and effective immediately, directs the MTA to establish pursuant to regulation a debarment process for its contractors.

##### Legislative Objectives:

The Legislature enacted the new Section 1279-h of the Public Authorities Law as part of the 2020 Budget. It requires the MTA to establish a process that will debar for five years any contractor who either fails to substantially complete the work within the time frame set by the contract, or in any subsequent change order, by more than ten percent of the contract term, or whose disputed work exceeds ten percent or more of the total contract cost where claimed costs are deemed to be invalid pursuant to the contractual dispute resolution process. And the statute requires that the debarment process ensures that contractors have notice and an opportunity to be heard including the opportunity to present as a defense acts such as force majeure. The proposed rule accords with this legislative objective by establishing a process for debarment of contractors.

##### Needs and Benefits:

The proposed rule is necessary to implement the newly enacted Section 1279-h of the Public Authorities, which expressly requires the MTA to establish a debarment process and specifies the circumstances under which MTA must debar a contractor. Contractors who are significantly late in performing their contractual work or in meeting contractual delivery dates or who assert substantial and unjustified claims for payment should not be allowed to compete to be awarded new contracts.

##### Costs:

(a) Regulated parties. This proposal does not impose new costs on contractors. It provides for process for determining whether factual circumstances exist, which the Legislature has determined require debarment. The proposed rule establishes a process to ensure that contractors are provided notice and an opportunity to be heard.

(b) Local government. The proposed rule will impose no costs on local governments.

(c) MTA. The MTA will use existing resources including its existing procurement and legal staff to undertake debarments of contractors.

##### Paperwork:

The proposed rule will require the MTA to develop a notice to inform contractors that they might be debarred.

##### Local Government Mandates:

The proposed rule does not impose any new programs, services, duties, or responsibilities on local government.

##### Duplication:

The proposed rule does not duplicate, overlap, or conflict with any State or Federal rule.

##### Alternatives:

The Legislature has expressly directed the MTA to establish by regulation a debarment process for its contractors, so MTA has not considered not doing so.

##### Federal Standards:

The proposed rule does not exceed any Federal minimum standards.

##### Compliance Schedule:

There is no compliance schedule imposed by this proposed rule. Once adopted, it will be effective immediately and will apply to contracts in effect on, or entered into after, the effective date of Section 1279-h of the Public Authorities Law, which was April 12, 2019.

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

A regulatory flexibility analysis for small business and local governments, a rural area flexibility analysis, and a job impact statement are not required for this rule making proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This proposed rule making will allow the Metropolitan Transportation Authority to debar a contractor under specified statutorily proscribed circumstances after giving such contractor notice and opportunity to be heard. Due to its narrow focus, this proposed rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

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

On May 22, 2019, the MTA submitted to the Secretary of State a Notice of Emergency Adoption and Proposed Rulemaking; it was published in the New York State Register on June 5. The emergency rule, which was identical to the proposed rule and added a new Part 1004 to Title 21 of the Official Compilation of Codes, Rules and Regulations of the State of New York, became effective upon filing. The emergency rule was filed to give immediate effect to Public Authorities Law § 1279-h, which was signed into law on April 12, 2019. That statute, which became effective immediately, requires the MTA to establish by regulation a procedure for debarment of contractors doing business with the MTA if the criteria set forth in the statute have been met. The MTA re-adopted the same emergency rule on August 19, and has now re-adopted the same emergency rule on October 18.

In the 60-day period for public comment following publication in the New York State Register, the MTA received nearly 50 separate comments totaling over 200 pages. Commenters included:

- 17 trade associations representing, among others, general contractors, sureties, electrical contractors, architectural and engineering consultants, and subcontractors.
- 27 individual firms that have and continue to do construction-related work for the MTA including Bombardier, John G. Civetta & Sons, Schindler Elevator, Siemens Mobility, Skanska, STV Companies, Syska Hennessy, TC Electric, and Tutor Perini.
- 5 other commenters, including the Citizens Budget Commission and the Partnership for New York City.

##### In summary, the commenters:

- Called debarment of late or over budget contractors an unduly harsh and punitive consequence and unnecessary given the MTA's, existing contractual remedies. Debarment they say should be used only for fraud or criminal activity.
- Urged MTA to exclude participants in the MTA's Small Business Mentoring Program.
- Asserted that whatever new debarment procedure the MTA adopts should apply only to contracts entered after the debarment statute, Public Authorities Law § 1279-h, took effect in April 2019. Otherwise, they assert, their existing contracts would be impaired, which they asserted would be both unconstitutional and unfair because their bid prices did not consider the added risk of debarment.
- Objected to the proposed rule for being inflexible, asserting that it would give the MTA no discretion to consider what they called "mitigating factors."
- Objected because a ground for debarment under the proposed rule—submitting payment claims in an amount more than 10% of the amount determined to be valid—in their view gives the MTA too much discretion to debar contractors for submitting in good faith payment claims that are denied by the MTA's dispute resolution process.
- Suggested that it was unfair to hold contractors accountable for payment claims by their subcontractors that they are contractually obligated to forward to MTA whether they believe them valid.

• Objected to the provision of the proposed rule that would allow a hearing panel to debar not only a contractor, but also their affiliated entities and individuals.

MTA continues to evaluate all the public comments but has not yet decided whether to adopt the proposed rule or to revise it and therefore is not yet ready—and is not required—to fully assess and respond to all the comments.

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## Office for People with Developmental Disabilities

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### NOTICE OF ADOPTION

#### Limits on Administrative Expenses and Executive Compensation

**I.D. No.** PDD-33-19-00015-A

**Filing No.** 951

**Filing Date:** 2019-10-17

**Effective Date:** 2019-11-06

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

**Action taken:** Amendment of Part 645 of Title 14 NYCRR.

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

**Subject:** Limits on Administrative Expenses and Executive Compensation.

**Purpose:** To conform with recent court decisions.

**Text or summary was published in:** the August 14, 2019 issue of the Register, I.D. No. PDD-33-19-00015-P.

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

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

**Additional matter required by statute:** Pursuant to the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

#### Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2021, 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.

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## Public Service Commission

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### NOTICE OF ADOPTION

#### Tariff Amendments

**I.D. No.** PSC-23-18-00014-A

**Filing Date:** 2019-10-18

**Effective Date:** 2019-10-18

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

**Action taken:** On 10/17/19, the PSC adopted an order approving St. Lawrence Gas Company, Inc.'s (St. Lawrence) tariff amendments to P.S.C. No. 3—Gas, regarding surcharges in St. Lawrence's Expansion Area.

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

**Subject:** Tariff amendments.

**Purpose:** To approve St. Lawrence's tariff amendments to P.S.C. No. 3—Gas.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving St. Lawrence Gas Company, Inc.'s (St. Lawrence)

tariff amendments to P.S.C. No. 3 – Gas, regarding surcharges in St. Lawrence's Expansion Area. St. Lawrence is directed to file, on not less than one day's notice, to become effective on November 1, 2019, such further tariff amendments as are necessary to effectuate the terms of the order and to incorporate in such filing tariff amendments that were previously approved by the Commission in Case 18-G-0731 since the tariff amendments listed in Attachment B were filed. St. Lawrence is also directed to file a cancellation supplement, effective on not less than one day's notice, on or before October 28, 2019, cancelling the tariff amendments and supplements listed in Attachment B to the order, subject to the terms and conditions set forth in the order.

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

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

#### Assessment of Public Comment

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

(18-G-0133SA1)

### NOTICE OF ADOPTION

#### Transfer of Ownership and Long-Term Debt Financing

**I.D. No.** PSC-30-18-00004-A

**Filing Date:** 2019-10-18

**Effective Date:** 2019-10-18

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

**Action taken:** On 10/17/19, the PSC adopted an order adopting the terms of a joint proposal filed by St. Lawrence Gas Company, Inc. (St. Lawrence) and Liberty Utilities Co. (Liberty) for the transfer of ownership and related long-term debt financing.

**Statutory authority:** Public Service Law, sections 4, 5(1)(b), (2), 69 and 70

**Subject:** Transfer of ownership and long-term debt financing.

**Purpose:** To adopt the terms of a joint proposal filed by St. Lawrence and Liberty.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order adopting the terms of a joint proposal, with the exception of Section VI, filed on May 31, 2019 by St. Lawrence Gas Company, Inc. d/b/a Enbridge St. Lawrence Gas (St. Lawrence), Liberty Utilities Co. (Liberty Utilities) (collectively, Joint Petitioners), Staff of the Department of Public Service, Multiple Intervenors (MI), Agri-Mark, Inc. and Upstate Niagara Cooperative, Inc. for the transfer of ownership with Liberty Utilities' acquisition of St. Lawrence and authorizing St. Lawrence to issue up to \$28.2 million in long-term financing, subject to the terms and conditions set forth in the order.

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

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

#### Assessment of Public Comment

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

(18-G-0140SA1)

### NOTICE OF ADOPTION

#### Transfer of Street Lighting Facilities

**I.D. No.** PSC-05-19-00009-A

**Filing Date:** 2019-10-17

**Effective Date:** 2019-10-17

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

**Action taken:** On 10/17/19, the PSC adopted an order approving, with

modifications, Orange and Rockland Utilities, Inc.'s (O&R) petition to transfer certain street lighting facilities located in the Town of Warwick (Warwick) to Warwick.

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

**Subject:** Transfer of street lighting facilities.

**Purpose:** To approve, with modifications, O&R's petition to transfer street lighting facilities to Warwick.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving, with modifications, Orange and Rockland Utilities, Inc.'s petition to transfer certain street lighting facilities located in the Town of Warwick (Warwick) to Warwick, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (18-E-0787SA1)

**NOTICE OF ADOPTION**

**Non-Roadway LED Service Offerings**

**I.D. No.** PSC-07-19-00010-A

**Filing Date:** 2019-10-21

**Effective Date:** 2019-10-21

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

**Action taken:** On 10/17/19, the PSC adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to implement non-roadway light emitting diode (LED) service offerings.

**Statutory authority:** Public Service Law, section 66

**Subject:** Non-roadway LED service offerings.

**Purpose:** To approve National Grid's petition implementing non-roadway LED service offerings.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to implement non-roadway light emitting diode (LED) service offerings, as supplemented by its August 23, 2019 filing. National Grid shall file tariff amendments consistent with the discussion in the body of the Order on not less than five days' notice to become effective November 1, 2019, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (19-E-0001SA1)

**NOTICE OF ADOPTION**

**Cybersecurity Requirements**

**I.D. No.** PSC-09-19-00013-A

**Filing Date:** 2019-10-17

**Effective Date:** 2019-10-17

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

**Action taken:** On 10/17/19, the PSC adopted an order granting, in part, and denying, in part, Joint Utilities' petition and adopts minimum cybersecurity and privacy protections.

**Statutory authority:** Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

**Subject:** Cybersecurity requirements.

**Purpose:** To grant, in part, and deny, in part, Joint Utilities' petition and adopt minimum cybersecurity and privacy protections.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order granting, in part, and denying, in part, Consolidated Edison Company of New York, Inc., Orange and Rockland Utilities, Inc., Central Hudson Gas & Electric Corporation, National Fuel Gas Distribution Corporation, The Brooklyn Union Gas Company d/b/a National Grid NY, KeySpan Gas East Corporation d/b/a National Grid, and Niagara Mohawk Power Corporation d/b/a National Grid, New York State Electric & Gas Corporation, and Rochester Gas and Electric Corporation's (collectively, Joint Utilities) petition and adopts minimum cybersecurity and data privacy requirements for entities that receive from, or exchange customer data with, the utilities on an electronic basis other than by email. Joint Utilities' are directed to, within 60 days from the date of the Order, file a revised Data Security Agreement and Self Attestation consistent with the discussion in the body of the Order. Energy Service Entities seeking access to customer data through utility IT systems shall be required to execute a Data Security Agreement and Self Attestation as revised in conformance with Ordering Clause No. 1 as a prerequisite of accessing such customer data, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (18-M-0376SA1)

**NOTICE OF ADOPTION**

**Transfer of Street Lighting Facilities**

**I.D. No.** PSC-11-19-00003-A

**Filing Date:** 2019-10-17

**Effective Date:** 2019-10-17

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

**Action taken:** On 10/17/19, the PSC adopted an order approving, with modifications, Orange and Rockland Utilities, Inc.'s (O&R) petition to transfer certain street lighting facilities located in the Village of Nyack (Nyack) to Nyack.

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

**Subject:** Transfer of street lighting facilities.

**Purpose:** To approve, with modifications, O&R's petition to transfer street lighting facilities to Nyack.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving, with modifications, Orange and Rockland Utilities, Inc.'s petition to transfer certain street lighting facilities located in the Village of Nyack (Nyack) to Nyack, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (19-E-0076SA1)

## NOTICE OF ADOPTION

## Lightened Ratemaking and CPCN

I.D. No. PSC-19-19-00015-A

Filing Date: 2019-10-17

Effective Date: 2019-10-17

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

**Action taken:** On 10/17/19, the PSC adopted an order approving Ravenswood Development, LLC's (Ravenswood) petition for a lightened ratemaking regulatory regime and granted, subject to conditions, a Certificate of Public Convenience and Necessity (CPCN).

**Statutory authority:** Public Service Law, sections 2(12), (13), (22), 5(1)(b), 64, 65, 66, 67, 68, 69, 69-a, 70, 71, 72, 72-a, 78, 79, 105-114, 114-a, 115, 117, 118, 119-b and 119-c

**Subject:** Lightened ratemaking and CPCN.

**Purpose:** To approve Ravenswood's petition for a lightened ratemaking regulatory regime and grant a CPCN.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving Ravenswood Development, LLC's (Ravenswood) petition for a lightened ratemaking regulatory regime, in connection with its energy storage facility with a capacity of up to approximately 316 MW in Long Island City, Queens, New York, and granted, subject to conditions, a Certificate of Public Convenience and Necessity (CPCN) to construct, operate, and maintain the energy storage facility, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(19-E-0122SA1)

## NOTICE OF ADOPTION

## Methodology Used to Set Discount Level for Income-Based Discounts to Residential Electric and Gas Utility Bills

I.D. No. PSC-21-19-00018-A

Filing Date: 2019-10-18

Effective Date: 2019-10-18

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

**Action taken:** On 10/17/19, the PSC adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition modifying the methodology used for annual adjustments to energy affordability programs.

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

**Subject:** Methodology used to set discount level for income-based discounts to residential electric and gas utility bills.

**Purpose:** To approve National Grid's petition to modify the methodology used for annual adjustments to energy affordability programs.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to modify the methodology governing how annual adjustments to energy affordability program low-income discount amounts are performed. New York State electric and gas utilities that have Energy Affordability Programs are authorized to limit any annual decrease in the discount level to no more than 20 percent in a given year. National Grid shall file revised electric and gas Energy Affordability Credit tariff statements on not less than three days' notice reflecting the discount levels, as shown in Attachment A, to become effective on November 1, 2019. National Grid shall also file with the Secretary to the Commission, within 60 days of the date of issuance of this Order, copies of materials provided to communicate these changes to its customers, including bill messages and other written communications, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(19-M-0350SA1)

## NOTICE OF ADOPTION

## Pilot Program for Inspecting Gas Service Lines

I.D. No. PSC-24-19-00003-A

Filing Date: 2019-10-21

Effective Date: 2019-10-21

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

**Action taken:** On 10/17/19, the PSC adopted an order approving, in part and with conditions, Consolidated Edison Company of New York, Inc.'s (Con Edison) petition to commence a three-year pilot program for inspecting gas service lines.

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

**Subject:** Pilot program for inspecting gas service lines.

**Purpose:** To approve, in part and with conditions, Con Edison's petition for a three-year pilot program to inspect gas service lines.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving, in part and with conditions, Consolidated Edison Company of New York, Inc.'s petition to commence a three-year pilot program, beginning January 1, 2020, to conduct leakage surveys and corrosion inspections of inside gas services in Business and Non-Business Districts at longer intervals that those specified in gas safety regulations, 16 NYCRR Part 255, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(15-G-0244SA3)

## NOTICE OF ADOPTION

## RY2 Revenue and Property Tax Reconciliation Filings

I.D. No. PSC-28-19-00004-A

Filing Date: 2019-10-21

Effective Date: 2019-10-21

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

**Action taken:** On 10/17/19, the PSC adopted an order approving, with modification, New York American Water Company, Inc.'s (NYAW) Rate Year 2 (RY2) Revenue and Property Tax Reconciliation filings for Service Area 1 and 2.

**Statutory authority:** Public Service Law, section 89-c

**Subject:** RY2 Revenue and Property Tax Reconciliation filings.

**Purpose:** To approve, with modifications, NYAW's RY2 Revenue and Property Tax Reconciliation filings.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving, with modification, New York American Water Company, Inc.'s (NYAW) Rate Year Revenue and Property Tax Reconciliation filings for Service Area 1 and 2. NYAW is authorized to collect the following surcharges over a 12-month period for deferred costs associated with Revenue, Production Costs and Property Tax Reconciliation: 1)

6.47% for Service Area 1; 2) 5.57% for Service Area 2 – Merrick; and 3) 4.78% for Service Area 2 – Sea Cliff, commencing November 1, 2019, to recover under-collections of \$4,500,684, \$1,719,063, and \$210,082, respectively, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(16-W-0259SA10)

## NOTICE OF ADOPTION

### Escrow Account

**I.D. No.** PSC-28-19-00006-A

**Filing Date:** 2019-10-21

**Effective Date:** 2019-10-21

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

**Action taken:** On 10/17/19, the PSC adopted an order authorizing, with modifications, River Road Water District (River Road) to establish and maintain a replenishable escrow account with a maximum balance of \$4,000, effective November 1, 2019.

**Statutory authority:** Public Service Law, sections 4(1), 5(1)(f), 89-c(1) and (10)

**Subject:** Escrow account.

**Purpose:** To authorize, with modifications, River Road to establish and maintain an escrow account.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order authorizing, with modifications, River Road Water District (River Road) to establish and maintain a replenishable escrow account with a maximum balance of \$4,000 for the purpose of repairing, maintaining, and improving its infrastructure, effective November 1, 2019, and directed River Road to file the necessary tariff amendments to effectuate the change, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(19-W-0460SA1)

## NOTICE OF ADOPTION

### Tariff Amendments

**I.D. No.** PSC-29-19-00018-A

**Filing Date:** 2019-10-17

**Effective Date:** 2019-10-17

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

**Action taken:** On 10/17/19, the PSC adopted an order approving, with modifications, Consolidated Edison Company of New York, Inc.'s (Con Edison) tariff amendments to P.S.C. No. 10 and No. 12, to establish provisions for Value Stack Compensation for NYPA customers.

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

**Subject:** Tariff amendments.

**Purpose:** To approve, with modifications, Con Edison's tariff amendments.

**Substance of final rule:** The Commission, on October 17, 2019, adopted

an order approving, with modifications, Consolidated Edison Company of New York, Inc.'s (Con Edison) tariff amendments to P.S.C. No. 10 – Electricity and No. 12 – Electricity (the PASNY tariff), to establish provisions for Value Stack Compensation for New York Power Authority (NYPA) customers. Con Edison's tariff amendments listed in the Appendix shall become effective on November 1, 2019, provided Con Edison files further revisions consistent with the discussion in the body of the Order, on not less than five days' notice, to become effective November 1, 2019. Con Edison shall file its Value of Distributed Energy Resources Value Stack Credits (VDER-CRED) Statement incorporating Value Stack Crediting for NYPA customers on not less than three days' notice beginning November 1, 2019, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(19-E-0464SA1)

## NOTICE OF ADOPTION

### Transfer of Street Lighting Facilities

**I.D. No.** PSC-29-19-00019-A

**Filing Date:** 2019-10-17

**Effective Date:** 2019-10-17

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

**Action taken:** On 10/17/19, the PSC adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities within the City of Syracuse, New York to the City of Syracuse.

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

**Subject:** Transfer of street lighting facilities.

**Purpose:** To approve National Grid's petition to transfer street lighting facilities to the City of Syracuse.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's petition to transfer street lighting facilities within the City of Syracuse, New York to the City of Syracuse, subject to the terms and conditions set forth in the order.

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

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

**Assessment of Public Comment**

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

(19-E-0468SA1)

## NOTICE OF ADOPTION

### Modifications to the Revenue Decoupling Mechanism Targets

**I.D. No.** PSC-32-19-00004-A

**Filing Date:** 2019-10-18

**Effective Date:** 2019-10-18

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

**Action taken:** On 10/17/19, the PSC adopted an order adopting the emergency rule as a permanent rule that approved Central Hudson Gas & Electric Corporation's (Central Hudson) modification to the Revenue Decoupling Mechanism targets.

**Statutory authority:** Public Service Law, sections 5, 65(1), (8), 66(1) and (12)

**Subject:** Modifications to the Revenue Decoupling Mechanism targets.

**Purpose:** To adopt the emergency rule as a permanent rule, that approved Revenue Decoupling Mechanism modifications.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order adopting the emergency rule as a permanent rule that approved Central Hudson Gas & Electric Corporation's (Central Hudson) modification to the Revenue Decoupling Mechanism targets, contained in Service Classification No. 8 – Public Street and Highway Lighting, subject to the terms and conditions set forth in the order.

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

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

#### Assessment of Public Comment

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

(17-E-0459SA3)

### NOTICE OF ADOPTION

#### Revenue Target Update

**I.D. No.** PSC-33-19-00011-A

**Filing Date:** 2019-10-21

**Effective Date:** 2019-10-21

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

**Action taken:** On 10/17/19, the PSC adopted an order authorizing, with modifications, New York American Water Company, Inc. (NYAW) to update its revenue targets within the Revenue and Production Cost Reconciliation Adjustment Clause and Property Tax Clause.

**Statutory authority:** Public Service Law, section 89-c

**Subject:** Revenue target update.

**Purpose:** To authorize NYAW to update its revenue targets.

**Substance of final rule:** The Commission, on October 17, 2019, adopted an order authorizing, with modifications, New York American Water Company, Inc. (NYAW) to update its revenue targets within the Revenue and Production Cost Reconciliation Adjustment Clause and Property Tax Clause. NYAW shall file on not than less than one day's notice, to become effective November 1, 2019, Revenue and Production Cost Reconciliation Adjustment Clause and Property Tax Clause - Statement No. 6 consistent with the updated Rate Year 3 and Rate Year 4 revenue targets for Service Area 2, as modified in the body of the Order. Sea Cliff's Service Area 2, Rate Year 2 revenue target shall be reset to \$32,703,737, Service Area 2, Rate Year 3 revenue target shall be reset to \$35,276,701, and Service Area 2, Rate Year 4 revenue target shall be reset to \$37,595,880. The tariff amendments and statement filed by NYAW for Rate Year 3 and listed in the Appendix are authorized to become effective on a permanent basis as of the date of issuance of the Order, subject to the terms and conditions set forth in the order.

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

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

#### Assessment of Public Comment

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

(16-W-0259SA12)

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

#### Notice of Intent to Submeter Electricity

**I.D. No.** PSC-45-19-00011-P

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

**Proposed Action:** The Commission is considering the notice of intent of 7 West 57th Street Realty Company, LLC, to submeter electricity at 7 West 57th Street, New York, New York.

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

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

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

**Substance of proposed rule:** The Commission is considering the notice of intent, filed by 7 West 57th Street Realty Company, LLC, on September 24, 2019, to submeter electricity at 7 West 57th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

By stating its intent to submeter electricity, 7 West 57th Street Realty Company, LLC, requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

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

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

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

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

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

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

(19-E-0636SP1)

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

#### Notice of Intent to Submeter Electricity

**I.D. No.** PSC-45-19-00012-P

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

**Proposed Action:** The Commission is considering the notice of intent of GO HPS LLC to submeter electricity at 57-28 2nd Street, Queens, New York, located in the service territory of Consolidated Edison Company of New York, Inc.

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

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

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

**Substance of proposed rule:** The Commission is considering the notice of intent filed by GO HPS LLC on October 16, 2019, to submeter electricity at 57-28 2nd Street, Queens, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

By stating its intent to submeter electricity, GO HPS LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Submetering of electricity to residential residents is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

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

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

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

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

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

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

(19-E-0680SP1)

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

**Notice of Intent to Submeter Electricity**

**I.D. No.** PSC-45-19-00013-P

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

**Proposed Action:** The Commission is considering the notice of intent of 611 W. 56th Property LLC to submeter electricity at 611 West 56th Street, New York, New York.

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

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

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

**Substance of proposed rule:** The Commission is considering the notice of intent, filed by 611 W. 56th Property LLC on October 8, 2019, to submeter electricity at 611 West 56th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

By stating its intent to submeter electricity, 611 W. 56th Property LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission’s regulations in 16 NYCRR Part 96.

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

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

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

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

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

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

(19-E-0652SP1)

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**Workers’ Compensation Board**

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

**Resolution of Medical Billing Disputes**

**I.D. No.** WCB-45-19-00010-P

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

**Proposed Action:** Amendment of sections 300.19, 325-1.25, 440.8, 442.3; and repeal of section 325-1.24 of Title 12 NYCRR.

**Statutory authority:** Workers’ Compensation Law, sections 13-g, 117 and 141

**Subject:** Resolution of medical billing disputes.

**Purpose:** Incorporate the 2019 changes to Workers’ Compensation Law 13-g into existing regulations.

**Substance of proposed rule (Full text is posted at the following State website: <http://www.wcb.ny.gov/content/main/wclaws/newlaws.jsp>):** Section 300.19: Amended to add third-party administrator, to define medical bills as any authorized medical provider of Medical Care (as defined in section 325-1.25), to add new provider types, conform arbitration paragraphs to the statute and delete (n) through (o) and add an effective date of January 1, 2020.

Section 325-1.25: Add employer and third-party administrator throughout, defines Medical Care, adds new provider types, simplifies billing dispute process to eliminate “continuous course of treatment” concept and extend time to file from 90 days to 120 days, and adds an effective date of January 1, 2020.

Section 440.8: Deletes the existing text and replaces with: Bills for prescribed medicine shall be paid in accordance with the fee schedule established by section 440.5 of this Part and section 325-1.25 of Part 325 of this Chapter. Objections to a bill for prescribed medicine shall be filed in accordance with section thirteen-g of the Workers’ Compensation Law and section 325-1.25 of Part 325 of this Chapter as well as adding an effective date of January 1, 2020.

Section 442.3: Deletes the existing text and replaces with: Bills for durable medical equipment, medical/surgical supply, or orthotic or prosthetic appliance shall be paid in accordance with the fee schedule established by section 442.2 of this Part and section 325-1.25 of Part 325 of this Chapter. Objections to a bill for durable medical equipment, medical/surgical supply, or orthotic or prosthetic appliance shall be filed in accordance with section thirteen-g of the Workers’ Compensation Law and section 325-1.25 of Part 325 of this Chapter as well as adding an effective date of January 1, 2020.

**Text of proposed rule and any required statements and analyses may be obtained from:** Heather MacMaster, Workers’ Compensation Law, Office of General Counsel, 328 State Street, Schenectady, NY 12305, (518) 486-9564, email: regulations@wcb.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**

**1. Statutory Authority**

The statutory authority for this rule comes from §§ 13-g, 117(1) and 141 of the Workers’ Compensation Law (WCL), which allows the Chair to regulate medical billing disputes and adopt reasonable rules to supplement the provisions of the chapter and the labor law.

**2. Legislative Objectives**

In April 2019, amendments to WCL § 13-g were enacted. These amendments permit the Board to resolve billing disputes for all medical providers and supplies provided pursuant to WCL § 13.

The proposed amendments clarify the process for submitting bills and handling billing disputes, and to conform to the Expanded Provider Law taking effect on January 1, 2020.

**3. Needs and Benefits**

The bill expanding the list of providers who can become authorized to treat injured workers under the Workers’ Compensation Law will provide more access to different types of providers, and more types of medical care for injured workers.

The bill provides a basic framework for billing and disputes, but the proposed regulations provide clarity for all providers and suppliers within the workers’ compensation system. The proposed amendments to the regulation implement the statute by detailing the billing dispute process to be followed by newly authorized providers and by those providers of medical services and care who are not authorized by the Board.

**4. Costs**

The proposed amendments should not impose system costs. The amendments to WCL § 13-g seek to relieve frictional costs by clarifying that all providers and suppliers of medically necessary care may have their billing disputes resolved by the Board. The proposal provides guidance and clarity to implement the statute, while avoiding costs outside what the law requires. The update does not impose any independent additional costs.

**5. Local Government Mandates**

There are no specific mandates on local governments as a result of this proposal.

## 6. Paperwork

The Chair will prescribe the method for submission of bills and handling disputes, and this process may be electronic. Thus, there is no change to the paperwork involved in billing disputes and such paperwork may actually be diminished as a result of these regulations.

## 7. Duplication

There is no duplication of state or federal regulations or standards.

## 8. Alternatives

WCL § 13-g requires that the Board resolve billing disputes for all medical care provided to injured workers. Accordingly, the Board is obligated to amend the existing regulation to create a process for resolution of these disputes.

As part of this amendment to include all providers and suppliers of medical care, the Board proposes simplifying the timelines for submission of bills of treatment. The Board proposes eliminating the continuous course of treatment measure as it is confusing and creates delays in resolution of billing disputes. Instead the Board proposes extending the time for bill submission from 90 to 120 days for non-hospital providers, and have such timeline run from the date treatment was rendered. The Board believes this creates a clear rule and provides sufficient time for submission of bills. In the alternative, the Board could have not recommended this change, but the existing timelines create confusion and delays in resolution of billing disputes. Accordingly, the Board does not propose this alternative.

## 9. Federal Standards

There are no applicable federal standards or regulations related to the proposed amendments.

## 10. Compliance Schedule

The statute takes effect January 1, 2020. The billing regulation will take effect on February 18, 2020.

**Regulatory Flexibility Analysis**

## 1. Effect of rule

The proposed regulation provides a process for all medical providers and suppliers who provide medical care to injured workers to have medical billing disputes resolved by the Board. The proposal applies to businesses of all sizes, and may especially assist small businesses who have had difficulty getting resolution when their medical bills remain unpaid or underpaid.

## 2. Compliance requirements

The proposal clarifies how new providers who become authorized to treat injured workers under the Workers' Compensation Law, may submit bills and how to resolve any disputes.

## 3. Professional services

It is believed that no professional services will be needed by small businesses or local governments to comply with the proposed regulation.

## 4. Compliance costs

Compliance with the proposed regulations should not impose compliance costs on small businesses or local governments. The proposal seeks to implement the statute smoothly, and does not impose additional costs beyond what the statute would require.

## 5. Economic and technological feasibility

Compliance with the proposed regulations is technologically and economically feasible for small business and local government. The proposed regulations lay out how to submit bills and the process for any disputes. It should not impose any additional requirements for technology beyond what most offices already have.

## 6. Minimizing adverse impact

The proposed regulations were written to provide a framework to implement the statute expanding the list of providers in accordance with the statute, in the clearest, smoothest way possible. To further minimize any impact, the regulations are being proposed now, and will not take effect until February 18, 2020, to permit all stakeholders the opportunity to familiarize themselves with the updated process.

## 7. Small business and local government participation

The Board will duly consider all public comments received from small businesses or local governments during the public comment period.

**Rural Area Flexibility Analysis**

## 1. Types and estimated numbers of rural areas

The proposed regulations implement the statute expanding provider types who can be authorized to treat injured workers and permits the Board to resolve all medical billing disputes for treatment and care injured workers across New York State. Accordingly, the regulations will apply to all providers of medical care in rural areas of the state.

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

The same compliance and application requirements apply to providers in rural areas as in metropolitan areas. There no proposed changes to the reporting and record keeping for medical billing and medical billing dispute processes. Accordingly, no special professional services should be required by rural or any other areas.

## 3. Costs

The proposed amendments should not impose costs. The proposal provides guidance and clarity to implement the statute, while avoiding costs outside what the law requires.

## 4. Minimizing adverse impact

The proposed regulations were written to provide a framework to implement the statute expanding the list of providers in accordance with the statute, in the clearest, smoothest way possible. To further minimize any impact, the regulations are being proposed now, and will not take effect until February 18, 2020. This should give providers and payers in rural areas a chance to familiarize themselves with the billing and billing disputes process updates.

## 5. Rural area participation

The Board will duly consider all public comments received from rural areas during the public comment period.

**Job Impact Statement**

The proposed regulation will not have an adverse impact on jobs. The proposed amendments provide guidance as to how medical providers submit medical bills and resolve billing disputes. The proposal is not expected to have any impact on jobs.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
ENV-36-19-00001-P .....	Waste fuels	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—November 8, 2019, 11:00 a.m.
ENV-36-19-00002-P .....	New aftermarket catalytic converter (AMCC) standards	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—November 8, 2019, 11:00 a.m.
ENV-36-19-00003-P .....	Stationary combustion installations	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—November 8, 2019, 11:00 a.m.
ENV-36-19-00014-P .....	Distributed generation sources located in New York City, Long Island, Westchester and Rockland Counties	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—November 12, 2019, 11:00 a.m.
ENV-39-19-00003-P .....	Part 219 applies to various types of incinerators and crematories operated in New York State	Department of Transportation, One Hunters Point Plaza, 47-40 21st St., Rm. 834, Long Island City, NY—November 20, 2019, 2:00 p.m. Suffolk County Water Authority, 260 Motor Pkwy., Hauppauge, NY—December 3, 2019, 11:00 a.m. 6274 Avon-Lima Rd. (Rtes. 5 and 20), Conference Rm., Avon, NY—December 4, 2019, 11:00 a.m.
ENV-43-19-00006-P .....	Class I and Class SD waters	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—December 6, 2019, 11:00 a.m.
ENV-43-19-00010-P .....	Repeal and replace 6 NYCRR Part 622 and amend 6 NYCRR Parts 620, 621 and 624	Department of Environmental Conservation, Region 2, 4740 21st St., Long Island City, NY—January 8, 2020, 2:00 p.m.
<b>Long Island Power Authority</b>		
LPA-37-19-00005-P .....	Authority’s annual budget, as reflected in the rates and charges in the Tariff for Electric Service	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 12, 2019, 2:00 p.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 13, 2019, 12:00 p.m.
LPA-37-19-00006-P .....	Modification of the SGIP to clarify and reflect updates to the State’s Standardized Interconnection Requirements (SIR)	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 12, 2019, 2:00 p.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 13, 2019, 12:00 p.m.
LPA-37-19-00007-P .....	Standard rates for pole attachments of the Authority’s Tariff for Electric Service	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 12, 2019, 2:00 p.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 13, 2019, 12:00 p.m.
<b>Power Authority of the State of New York</b>		
PAS-42-19-00008-P .....	Rates for the sale of power and energy	Power Authority of the State of New York, 123 Main St., White Plains, NY—November 22, 2019, 11:00 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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>0001</b>	<b>P</b>

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

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

AGE-34-19-00014-P	..... 08/20/20	Limits on Administrative Expenses and Executive Compensation	To bring this rule into compliance with current law in New York State
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**AGRICULTURE AND MARKETS, DEPARTMENT OF**

AAM-21-19-00002-ERP	..... 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.
AAM-30-19-00004-P	..... 07/23/20	Fuels for use in automobiles and motor-driven devices and equipment.	To conform regulations with federal requirements; to provide standards for, and relieve confusion in the sale of new fuels.
AAM-33-19-00003-P	..... 08/13/20	State aid to districts	To conform Part 363 to S&WCL Sec. 11-a statutory amendments and to make technical amendments.
AAM-34-19-00001-EP	..... 08/20/20	Spotted Lanternfly ("SL")	To prevent SL-infested articles originating in Dauphin County, in PA, or Cecil County, in MD, from entering NYS
AAM-43-19-00009-P	..... 10/22/20	Control of the Asian Long Horned Beetle (ALB)	To lift approximately 58 square miles of Asian long horned beetle quarantine in Brooklyn and western Queens

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

ASA-39-19-00004-P	..... 09/24/20	Designated services (acupuncture and telepractice)	To identify standards for designation to provide acupuncture or telepractice services
ASA-39-19-00006-P	..... 09/24/20	Children's behavioral health services	To identify addiction treatment services for children and families
ASA-44-19-00002-P	..... 10/29/20	Limits on administrative expenses and executive compensation	To define limits on administrative expenses and executive compensation in accordance with state law and Executive Order 38

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>AUDIT AND CONTROL, DEPARTMENT OF</b>			
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
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
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-ERP	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-36-19-00004-EP	09/03/20	Removal of non-medical exemption from vaccination regulations for child day care programs	To remove the non-medical exemption from vaccination regulations for child day care programs
CFS-39-19-00005-EP	09/24/20	Implement federal statutory requirements to include enhanced background checks, annual inspections, annual training and safety.	Implement federal statutory requirements to include enhanced background checks, annual inspections, annual training and safety.
CFS-39-19-00007-EP	09/24/20	Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.	Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.
CFS-42-19-00002-P	10/15/20	Permissible disclosure of records maintained by OCFS.	To amend existing regulations regarding the permissible disclosure of records by OCFS.
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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-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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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
CVS-34-19-00002-P	08/20/20	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes.
CVS-34-19-00003-P	08/20/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-34-19-00004-P	08/20/20	Jurisdictional Classification	To classify a position in the non-competitive class

**Action Pending Index**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-34-19-00005-P	08/20/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-34-19-00006-P	08/20/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-34-19-00007-P	08/20/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-34-19-00008-P	08/20/20	Jurisdictional Classification	To delete a subheading and to delete a position in the non-competitive class
CVS-34-19-00009-P	08/20/20	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-34-19-00010-P	08/20/20	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes
CVS-34-19-00011-P	08/20/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-42-19-00009-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-42-19-00010-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-42-19-00011-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-42-19-00012-P	10/15/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-42-19-00013-P	10/15/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-42-19-00014-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-42-19-00015-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-42-19-00016-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-42-19-00017-P	10/15/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-42-19-00018-P	10/15/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-42-19-00019-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00020-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00021-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00022-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00023-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-42-19-00024-P	10/15/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-42-19-00025-P	10/15/20	Jurisdictional Classification	To delete positions from and classify positions in the exempt and non-competitive classes
CVS-42-19-00026-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt class and to delete a position from and classify positions in the non-competitive class
CVS-42-19-00027-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes
CVS-45-19-00003-P	11/05/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-45-19-00004-P	11/05/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-45-19-00005-P	11/05/20	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class
CVS-45-19-00006-P	11/05/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-45-19-00007-P	11/05/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class
CVS-45-19-00008-P	11/05/20	Jurisdictional Classification	To delete positions from and classify a position in the labor class
CVS-45-19-00009-P	11/05/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
<b>CORRECTION, STATE COMMISSION OF</b>			
CMC-35-19-00002-P	08/27/20	Disciplinary and administrative segregation of inmates in special housing.	Prohibit the segregation of vulnerable inmates, and to standardize allowable uses and duration of special housing segregation.
CMC-41-19-00002-EP	10/08/20	Necessary age for admission to an adult lockup	To ensure that individuals under 18 years old are not admitted to an adult lockup
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-05-19-00006-RP	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.
CCS-32-19-00007-P	08/06/20	Transfer of Foreign Nationals	Correct spelling and update employee responsibility
CCS-35-19-00001-P	08/27/20	Special Housing Units	Revisions have been made in order to be in compliance with new laws regarding special housing units and solitary confinement use

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
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-30-19-00010-EP	07/23/20	Use of Force	Set forth use of force reporting and recordkeeping procedures
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-30-19-00003-EP	07/23/20	START-UP NY Program	Establish procedures for the implementation and execution of START-UP NY program
EDV-43-19-00001-P	10/22/20	Empire State Commercial Production Credit Program	Create administrative procedures for all components of the Empire State Commercial Production Credit Program
<b>EDUCATION DEPARTMENT</b>			
*EDU-40-18-00010-RP	01/01/20	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-RP	01/30/20	Protecting Personally Identifiable Information	To implement the provisions of Education Law section 2-d
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-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
EDU-31-19-00009-EP	07/30/20	Instructional Time for State Aid purposes	To provide school districts with additional flexibility when establishing their school calendars
EDU-39-19-00008-P	09/24/20	The Education, Experience, Examination and Endorsement Requirements for Licensure as an Architect	To more closely align New York's requirements for architects with national standards and to streamline the endorsement process.
EDU-39-19-00009-P	09/24/20	Requirements for Licensure as an Architect	To more closely align the Commissioner's Regulations with national standards for licensure as an architect.
EDU-39-19-00012-P	09/24/20	Building Condition Surveys and Visual and Periodic Inspections of Public School Buildings	To align the Commissioner's Regulations with amendments made to Education Law sections 409-9d, 409-e, and 3641.
EDU-43-19-00011-P	10/22/20	Addition of Subject Ares to the Limited Extension and SOCE for Certain Teachers of Students with Disabilities	To enable more qualified teachers of students with disabilities to seek the limited extension and SOCE
EDU-43-19-00012-EP	10/22/20	Annual Professional Performance Reviews of Classroom Teachers and Building Principals	Necessary to implement part YYY of chapter 59 of the Laws of 2019

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-43-19-00013-P	10/22/20	Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor	To conform educational requirements for the profession of chiropractic to the national preprofessional education standards
<b>ELECTIONS, STATE BOARD OF</b>			
SBE-22-19-00003-EP	05/28/20	Process for Early Voting	Establishing Process for Early Voting
SBE-35-19-00003-EP	08/27/20	Ballot Accountability Practices	Establishes additional ballot accountability procedures
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-09-19-00015-RP	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-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.
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-28-19-00002-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
ENV-31-19-00008-EP	07/30/20	Sanitary Condition of Shellfish Lands	To reclassify underwater shellfish lands to protect public health
ENV-32-19-00006-P	08/06/20	Chronic wasting disease	Amend regulations to reduce risk of introduction of infectious material into New York
ENV-36-19-00001-P	11/07/20	Waste Fuels	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and incorporate federal standards.
ENV-36-19-00002-P	11/07/20	New Aftermarket Catalytic Converter (AMCC) standards	Prohibit sale of federal AMCCs and update existing AMCC record keeping and reporting requirements

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-36-19-00003-P	11/07/20	Stationary Combustion Installations	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.
ENV-36-19-00014-P	11/19/20	Distributed generation sources located in New York City, Long Island and Westchester and Rockland counties	Establish emission control requirements for sources used in demand response programs or as price-responsive generation sources
ENV-37-19-00003-P	09/10/20	Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations	To improve the review of projects by removing some project types that are known not to cause harm from the review stream
ENV-38-19-00001-P	09/17/20	Animals dangerous to health or welfare	To expand the list of animals which pose a risk to health or welfare of the people of the state or indigenous fish and wildlife
ENV-39-19-00003-P	12/05/20	Part 219 applies to various types of incinerators and crematories operated in New York State.	This rule establishes emission limits and operating requirements for various types of incinerators.
ENV-42-19-00003-P	10/15/20	Amendments to Great Lakes sportfishery regulations in 6NYCRR Part 10	Proposed amendments are intended to improve high quality sportfisheries and associated economic benefits
ENV-43-19-00006-P	01/07/21	Class I and Class SD waters	To clarify best usages of Class I and SD waters were/are "secondary contact recreation and fishing" and "fishing," respectively
ENV-43-19-00010-P	01/06/21	Repeal and replace 6 NYCRR Part 622 and amend 6 NYCRR Part 624, Part 621 and Part 620	To incorporate procedural and legal developments, develop consistency & reflect current practice in DEC hearings
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
*DFS-36-18-00003-RP	12/04/19	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-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
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
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
DFS-32-19-00003-P	08/06/20	Minimum Standards for Form, Content and Sale of Medicare Supplement and Medicare Select Insurance, et al.	To conform with the NAIC model regulation for Medicare supplement insurance, as required by 42 U.S.C. Section 1395ss.
DFS-33-19-00004-P	08/13/20	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure	To set forth minimum standards for the content of health insurance identification cards.
DFS-39-19-00002-P	09/24/20	LICENSED CASHERS OF CHECKS; FEES	To increase the maximum fee that may be charged by licensed check cashers
DFS-43-19-00017-P	10/22/20	INDEPENDENT DISPUTE RESOLUTION FOR EMERGENCY SERVICES AND SURPRISE BILLS	To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided
DFS-44-19-00010-P	10/29/20	Superintendent's Regulations: Basic Banking Accounts	To amend the requirements of basic banking accounts in conformity with Chapter 260 of the Laws of 2019
DFS-44-19-00011-P	10/29/20	Principle-Based Reserving	To prescribe minimum principle-based valuation standards
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-40-19-00010-P	10/01/20	Add racetrack operator to terms defined in Thoroughbred rules	To promote the integrity of racing and derive a reasonable return for government
SGC-40-19-00011-P	10/01/20	Remove obsolete reference to safety vest weight	To promote the integrity of racing and derive a reasonable return for government
SGC-40-19-00012-P	10/01/20	Add racetrack operator to terms defined in Thoroughbred rules	To promote the integrity of racing and derive a reasonable return for government
SGC-42-19-00004-P	10/15/20	Add racetrack operator to terms defined in harness racing rules	To promote the integrity of racing and derive a reasonable return for government
<b>GENERAL SERVICES, OFFICE OF</b>			
GNS-40-19-00005-P	10/01/20	Facility Use	To add "plastic knuckles" and remove "gravity knife" from the definition of "deadly weapon"
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-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-51-18-00018-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

**Action Pending Index****NYS Register/November 6, 2019**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
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
HLT-30-19-00006-P	07/23/20	Maximum Contaminant Levels (MCLs)	Incorporating MCLs for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and 1,4-dioxane.
HLT-36-19-00005-EP	09/03/20	School Immunization Requirements	To be consistent with national immunization regulations and guidelines and to define "may be detrimental to the child's health".
HLT-36-19-00006-P	09/03/20	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.
HLT-40-19-00002-EP	10/01/20	Required Signage Warning Against the Dangers of Illegal Products	To require sellers of legal e-liquids and e-cigarette products to post warning signs regarding illegal products
HLT-40-19-00004-P	10/01/20	Drug Take Back	To implement the State's drug take back program to provide for the safe disposal of drugs
HLT-43-19-00005-P	10/22/20	Transitional Adult Home Admission Standards for Individuals with Serious Mental Illness	Delineate a clear pre-admissions process for determining whether a prospective resident is a person with serious mental illness
HLT-45-19-00001-P	11/05/20	Medical Use of Marijuana	To allow NYS hemp growers to sell hemp-derived cannabidiol to the Registered Organizations to reduce the cost of manufacturing.
HLT-45-19-00002-P	11/05/20	Licensed Home Care Services Agencies (LHCSAs)	To implement changes to public need & financial feasibility review for applications for HCSAs licensure & change of ownership.

**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 of low-income housing tax credits.
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**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
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**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.
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**LONG ISLAND POWER AUTHORITY**

*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-41-02-00005-P	..... exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	..... exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	..... exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
LPA-37-19-00005-P	..... exempt	The Authority's annual budget, as reflected in the rates and charges in the Tariff for Electric Service	To update the Tariff to implement the Authority's annual budget and corresponding rate adjustments
LPA-37-19-00006-P	..... exempt	The modification of the SGIP to clarify and reflect updates to the State's Standardized Interconnection Requirements (SIR)	To be consistent with the State's SIR and related orders
LPA-37-19-00007-P	..... exempt	The standard rates for pole attachments of the Authority's Tariff for Electric Service	To update the Authority's standard rates for pole attachments in accordance with recent Public Service Commission action
<b>MENTAL HEALTH, OFFICE OF</b>			
OMH-43-19-00008-P	..... 10/22/20	Personalized Recovery Oriented Services (PROS)	To Allow PROS participants to receive Clinic Treatment from an Article 31 Clinic operated by the same agency
<b>METROPOLITAN TRANSPORTATION AGENCY</b>			
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
<b>NIAGARA FALLS WATER BOARD</b>			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NFW-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
<b>PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF</b>			
PKR-37-19-00001-P	..... 09/10/20	Listing of state parks, parkways, recreation facilities and historic sites	To update the listing of state parks, parkways, recreation facilities and historic sites
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-42-19-00008-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00010-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.

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00011-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-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-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.
*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-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-44-18-00016-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-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-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-01-19-00013-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-02-19-00014-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
PSC-09-19-00009-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.
PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
PSC-10-19-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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-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-13-19-00012-P	..... exempt	Paperless billing credit.	To provide just and reasonable rates.
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.
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-16-19-00007-P	..... exempt	Recommencement 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-17-19-00014-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
PSC-18-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-19-00015-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-19-19-00013-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-19-19-00016-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-20-19-00015-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-22-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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-23-19-00005-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-24-19-00005-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-24-19-00008-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
<b>PUBLIC SERVICE COMMISSION</b>			
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-27-19-00007-P	..... exempt	Implementation of consolidated billing for distributed energy resources.	To facilitate development of and participation in Community Distributed Generation projects.
PSC-27-19-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-30-19-00007-P	..... exempt	Use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-30-19-00008-P	..... exempt	To institute a voluntary Tier 2(B) Physical Storage Program under the DDS Program.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-30-19-00009-P	..... exempt	An Index REC procurement mechanism for Tier 1 REC procurements.	To provide a hedge against market volatility, and lower costs to both renewable generators and customers.
PSC-31-19-00011-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-31-19-00012-P	..... exempt	Purchase of renewable energy from distributed generators and energy storage systems 15 kilowatts or less.	To establish provisions to ensure safe and reliable service for all customers.
PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-19-00014-P	..... exempt	Consideration of NYAW's Interim Implementation Plan.	To ensure NYAW improves its service to ratepayers.
PSC-31-19-00015-P	..... exempt	Proposed major rate 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-31-19-00016-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues of approximately \$49.4 million (or 4.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-19-00017-P	..... exempt	Implementation of e-DPAs.	To consider a proposal to implement e-DPAs.
PSC-32-19-00008-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
PSC-32-19-00009-P	..... exempt	Petition to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-32-19-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-32-19-00011-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
PSC-32-19-00013-P	..... exempt	Disposition of tax refunds received by New York American Water Company, Inc.	To determine the disposition of tax refunds and other related matters
PSC-33-19-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to provide written consent for the proposed transfer of certain street lighting facilities.
PSC-33-19-00008-P	..... exempt	Pole attachment rates.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-33-19-00009-P	..... exempt	Transfer of street lighting facilities.	To determine whether to provide written consent for the proposed transfer of certain street lighting facilities.
PSC-33-19-00010-P	..... exempt	Purchase of renewable energy from new distributed generators and energy storage systems 15 kilowatts or less.	To establish provisions to ensure safe and reliable service for all customers.
PSC-33-19-00012-P	..... exempt	Limited waiver of tariff provisions for customers with PEVs under Special Provision L of the SC-1 VTOU rate.	To ensure just and reasonable rates charged to customers without undue preferences
PSC-33-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-33-19-00014-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-34-19-00015-P	..... exempt	Major electric rate filing.	To consider a proposed increase in RG&E's electric delivery revenues of approximately \$31.7 million (or 4.1% in total revenues).
PSC-34-19-00016-P	..... exempt	Major gas rate filing.	To consider a proposed increase in RG&E's gas delivery revenues of approximately \$5.8 million (or 1.4% in total revenues).
PSC-34-19-00017-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-34-19-00018-P	..... exempt	Major electric rate filing.	To consider a proposed increase in NYSEG's electric delivery revenues of approximately \$156.7 million (10.4% in total revenues).
PSC-34-19-00019-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation for distributed energy resources.
PSC-34-19-00020-P	..... exempt	Major gas rate filing.	To consider a proposed increase in NYSEG's gas delivery revenues of approximately \$6.3 million (or 1.4% in total revenues).
PSC-34-19-00021-P	..... exempt	Customer Consent to Contact.	To include a new provision establishing customer consent for the utility to contact them electronically about utility service.
PSC-35-19-00004-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-35-19-00005-P	..... exempt	Administrative costs and funding sources for the RES and ZEC programs.	To promote and maintain renewable and zero emission electric energy resources.
PSC-35-19-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-19-00007-P	..... exempt	Wireless pole attachment rate.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-35-19-00008-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-36-19-00008-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-36-19-00009-P	..... exempt	Minor rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-36-19-00010-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-36-19-00011-P	..... exempt	Minor electric rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-36-19-00012-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-37-19-00004-P	..... exempt	Proposed transfer of Hopewell's assets to the Town and dissolution of the company.	To determine if transfer of the water system to the Town of East Fishkill is in the public interest.
PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-39-19-00013-P	..... exempt	Proposed revisions to Consolidated Edison's Commercial Demand Response Programs.	To consider appropriate rules regarding Commercial Demand Response Programs.
PSC-39-19-00014-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 the period ending August 31, 2019.
PSC-39-19-00015-P	..... exempt	Amendments to the New York State Standardized Interconnection Requirements (SIR).	To more effectively interconnect distributed generation and energy storage Systems 5 MW or less to the distribution system.
PSC-39-19-00016-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(1), (2), (2)(iv), (b)(2), 86.4(b) and 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-39-19-00017-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-39-19-00019-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-39-19-00020-P	..... exempt	Initial Tariff Schedule, P.S.C. No. 1 - Water.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-40-19-00006-P	..... exempt	Net energy metering and VDER crediting for eligible New York Power Authority customers.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-40-19-00007-P	..... exempt	The sharing of ratepayer consumption data.	To allow for consumption based sewer billing and protect ratepayers' consumption data.
PSC-40-19-00008-P	..... exempt	Implementation of consolidated billing for distributed energy resources.	To facilitate development of and participation in Community Distributed Generation projects.
PSC-41-19-00001-EP	..... exempt	Appointment of a temporary operator.	To ensure safe water supply through appointment of a temporary operator.
PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
PSC-41-19-00004-P	..... exempt	To consider acquiring cable television facilities and franchises of 27 municipalities from CCE I to Spectrum NE.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.
PSC-41-19-00005-P	..... exempt	Tariff modifications to correct the calculation for the VDER Value Stack DRV.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-19-00006-P	..... exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-42-19-00007-P	..... exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-43-19-00014-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-43-19-00015-P	..... exempt	Modifications to the Gas Cost Factor and Daily Delivery Service Programs.	To consider a rehearing petition filed by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.
PSC-43-19-00016-P	..... exempt	Proposed rate filing to increase its semi-annual flat rate.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-44-19-00003-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-19-00005-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-44-19-00006-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00007-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-45-19-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-19-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
<b>STATE, DEPARTMENT OF</b>			
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.
DOS-40-19-00001-P	..... 10/01/20	Appraisal Standards	To adopt the 2020-2021 edition of the Uniform Standards of Professional Appraisal Practice
DOS-42-19-00001-P	..... 10/15/20	Real estate advertisements	To update current regulations concerning real estate advertisements
<b>STATE UNIVERSITY OF NEW YORK</b>			
SUN-36-19-00013-P	..... 09/03/20	College Fees	To increase the college fee charged at State-operated campuses, excluding the four University Centers.
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
TAF-34-19-00013-P	..... exempt	To set the sales tax component and the composite rate per gallon for the period October 1, 2019 through September 31, 2019	To set the sales tax component and the composite rate per gallon for the period October 1, 2019 through September 31, 2019
TAF-40-19-00009-P	..... 10/01/20	New York State and City of Yonkers withholding tables and other methods	To provide current New York State and City of Yonkers withholding tables and other methods
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
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
<b>URBAN DEVELOPMENT CORPORATION</b>			
UDC-33-19-00006-EP	08/13/20	Life Sciences initiative Program	Create administrative procedures for all components of the Life Sciences Initiatives program
<b>VICTIM SERVICES, OFFICE OF</b>			
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
OVS-36-19-00007-P	09/03/20	Limits on administrative expenses and executive compensation.	To codify the determination made in the Matter of Leading Age NY, Inc v. Shah (2018), striking a portion of the rule.
<b>WORKERS' COMPENSATION BOARD</b>			
WCB-27-19-00005-P	07/02/20	Medical Fee Schedules	Add new providers to the fee schedule
WCB-31-19-00018-P	07/30/20	Medical Treatment Guidelines	Add guidelines for treatment of hip and groin, foot and ankle, elbow and occupational interstitial lung disease
WCB-32-19-00001-P	08/06/20	Updating the prescription drug formulary	To add drugs to the prescription drug formulary in response to continuous feedback
WCB-37-19-00002-P	09/10/20	Applications for Reopenings	Clarify the process for reopening a case that has been previously closed
WCB-45-19-00010-P	11/05/20	Resolution of medical billing disputes	Incorporate the 2019 changes to WCL 13-g into existing regulations.

# SECURITIES OFFERINGS

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## STATE NOTICES

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

## DEALERS; BROKERS

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Canna-V-Cell Sciences Inc.  
1085-555 Burrard St., Vancouver BC V7X 1M8  
*State or country in which incorporated* — Canada

Capgemini S.E.  
Place de l'Etoile, 11 rue de Tilsitt, 75017 Paris, France  
*State or country in which incorporated* — France

EJF Debt Opportunities, LP  
2107 Wilson Blvd., Suite 410, Arlington, VA 22201  
*Partnership* — EJF Debt Opportunities GP, LLC

EJF Debt Opportunities Fund II, Ltd.  
2107 Wilson Blvd., Suite 410, Arlington, VA 22201

EJF Debt Opportunities Master Fund II, LP  
2107 Wilson Blvd., Suite 410, Arlington, VA 22201  
*Partnership* — EJF Debt Opportunities II GP, LLC

HITE Hedge QP LP  
300 Crown Colony, Suite 108, Quincy, MA 02169  
*Partnership* — HITE Hedge Capital LP

Preserve SC Fund, LLC  
1203 N. Orange Ave., Orlando, FL 32804  
*State or country in which incorporated* — Florida

SSC Lodgecap Investors, LLC  
3500 Lenox Rd., Suite 625, Atlanta, GA 30326  
*State or country in which incorporated* — Georgia limited liability company

VerifyMe, Inc.  
75 S. Clinton Ave., Suite 510, Rochester, NY 14604  
*State or country in which incorporated* — Nevada

VPC Beaumont MF LLC  
c/o VestaPoint Capital LLC, 941 W. Morse Blvd., Suite 130, Winter Park, FL 32789



# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### REHABILITATE ELEVATORS

Elmira Psychiatric Center  
Elmira, Chemung County

Sealed bids for Project Nos. M3119-C, M3119-E, M3119-H and M3119-U, comprising separate contracts for Construction Work, Electrical Work, HVAC Work, and Elevator Work, Rehabilitate Elevators, Buildings 3, 4, 5, 6, 7 & 9, Elmira Psychiatric Center, 100 Washington St., Elmira (Chemung County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, November 6th, 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 \$22,400 for C, \$33,900 for E, \$12,400 for H, and \$64,200 for U.

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 \$500,000 and \$ 1,000,000 for E, between \$100,000 and \$250,000 for H, and between \$1,000,000 and \$2,000,000 for U.

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 461 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 October 28th, 2019 at the Elmira Psychiatric Center, 100 Washington St Elmira, 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 Lara Franzese (607-734-0592) 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 and HVAC Work and an overall goal of 6% for MWBE participation, 3% for Minority-Owned Business Enterprises ("MBE") participation and 3% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

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](mailto:DCPlans@ogs.ny.gov), or call (518) 474-0203.

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

By *John D. Lewykyj, Deputy Director*  
OGS - Design & Construction Group

## PROVIDE SANITARY AND STORM WATER IMPROVEMENTS Kingsboro Psychiatric Center Brooklyn, Kings County

Sealed bids for Project No. 45650-C, comprising a contract for Construction Work Provide Sanitary and Storm Water Improvements, Buildings 1 and 4, Kingsboro Psychiatric Center, 681 Clarkson Ave,

Brooklyn (Kings County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, November 20, 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 \$22,600 for C.

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 \$500,000 and \$1,000,000 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 349 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on November 8, 2019 at OGS Field Office, Kingsboro Psychiatric Center, 681 Clarkson Ave, Bldg. 19, 4th Floor, Brooklyn, 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 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](mailto:DCPlans@ogs.ny.gov), or call (518) 474-0203.

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

By *John D. Lewyckyj, Deputy Director*  
OGS - Design & Construction Group

# **NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS**

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**Workforce Development Initiative  
Consolidated Funding Application  
2019 Program Guidelines**

October 2019

## **NOTICE OF AVAILABILITY** **Workforce Development Initiative CFA**

Through the New York State Consolidated Funding Application (CFA), a single application for multiple sources of state funding, New York State is soliciting applications for funding from the Workforce Development Initiative (WDI).

This announcement is meant to provide a general overview of the programs included in the WDI. The application materials, guidebook, program guidelines and other details are available online at <https://www.ny.gov/workforcedevelopment>. Project plans and applications will be accepted on a continual basis beginning on May 8, 2019.

This is the first year this Initiative is being offered and it is comprised of 14 different workforce development programs available through five state agencies, including Empire State Development; Department of Labor; State University of New York; City University of New York; and NYS Energy Research and Development Authority. Applicants initially will be asked to complete a general project plan. In an effort to provide the most appropriate state resources through this process, participating agencies will require that additional information be provided by the applicant to complete the CFA. In addition, all programs contained in this document will use regional distribution standards to ensure projects are funded throughout the state.

For more information or questions regarding the CFA, please contact the appropriate Empire State Development Regional Office covering the project area:  
<https://esd.ny.gov/regions>.

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## SUNY 2020 Challenge Grant

*Funding Available: Up to \$25 million*

### Purpose

Funding from the NY-SUNY 2020 Capital Challenge Grant Program will be distributed to SUNY institutions to support the needs of the Regional Workforce Development Initiative. These capital funds will help support the construction, rehabilitation, and/or purchase of classrooms, equipment, and / or other physical facilities tailored to meeting workforce development needs of regionally-significant, emerging, in-demand industries and / or occupations identified by the corresponding Regional Economic Development Council(s). Support through the NY-SUNY 2020 Capital Challenge Grant will help accomplish these tasks while also enhancing the academic mission of SUNY institutions and strengthening campus roles as an engine of regional economic development.

### Strategic Criteria

Proposals must:

- Demonstrate projected progress toward the goal of supporting the physical infrastructure and related needs of the Regional Workforce Development Initiative.
- Note particular ties to strategic industries identified by the Regional Economic Development Council(s) and how the funding would assist in addressing the needs of regional/sector employer networks.
- Indicate how the proposed project will support the workforce development and educational advancement of the region within which funds would be granted.
- Provide a timeline to implementation with realistic milestones.
- Provide a project narrative, data, and pertinent budget information.
- Indicate and document consultation and coordination with SUNY System Administration, both in the submission and execution phases of the proposed activity.

Please note that proposals that include one or more of the following attributes will be viewed favorably:

- Demonstrated readiness of partnering with employers in the region, preferably with hiring plans for successful completers of training programs using facilities/equipment supported by the grant.
- Demonstrated collaboration across multiple institutions.
- Produce a benefit that can be concretely demonstrated to be scalable or replicable across the system and / or State.
- Demonstrate use of leveraged funding through philanthropic, in-kind, or existing campus funding to support project costs.

- Demonstrated ability to leverage existing infrastructure, faculty, and buildings.
- Provide a quick time frame to implementation, defined as having proposal components that are actionable (i.e. work will begin) within 12-15 months from award.
- Provide a demonstrated and clear pathway to long-term financial sustainability.

Finally, in general, Institutions are encouraged to develop and submit innovative proposals.

### **Performance Metrics:**

While capital projects, purchase of equipment, or related capital type activities do not lend themselves to the traditional measuring of performance, Proposals made through the NY-SUNY 2020 Challenge Grant program will be expected to define and measure success against the following:

- Creation of and adherence to a project schedule with specific milestones that either correspond to specific workforce development project needs or facilitate the initiation and success of separate workforce development activities in the approved region.
- Limited training / research needed for successful implementation of project
  - Defined, for this purpose, as the ability to successfully utilize capital funds in an efficient and accelerated fashion to support workforce development initiatives with limited lead time or additional investment
- Ability of project to advance both academic needs and meet workforce development initiative needs
  - Defined, for this purpose, as the ability for the proposed project to help implement cutting edge research / emerging workforce needs that are tied to the new needs of the region.

### **Eligibility:**

All SUNY institutions are eligible to participate.

### **Award Level:**

\$25.0M is available for award

Minimum award is \$5.0M

Maximum award is \$25.0M.

\*The SUNY Apprenticeship Program funding was awarded on September 23, 2019 to Mohawk Valley Community College to support workforce development apprenticeship initiatives in information technology, cybersecurity, artificial intelligence and other priority industries. SUNY colleges interested in working with MVCC on implementation of this new program across New York State should contact James Willey at [JWilley@mvcc.edu](mailto:JWilley@mvcc.edu).

### **SUNY Apprenticeship Program**

*Funding Available: Up to \$3 million*

#### **Purpose**

The SUNY Apprenticeship Program will assist in developing pre-apprentice and Registered Apprenticeships in advanced manufacturing, healthcare, and other high need fields identified by the corresponding Regional Economic Development Council(s). In partnership with NYSDOL's Apprenticeship Office and SUNY System Administration through the Office of Community Colleges and the Education Pipeline, the program will leverage the resources and capacity of the Community Colleges, as well as other SUNY institutions, to provide expertise and support to expand Registered Apprenticeships (RA) tailored to meeting workforce development needs of regionally-significant, emerging, in-demand industries and occupations

#### **Strategic Criteria**

Proposals must:

- Provide a demonstrated ability to work in partnership with the New York State Department of Labor (NYSDOL).
- Outline the campus' ability to serve as lead and administer funds to other SUNY institutions as sub-awards.
- Demonstrate the ability to coordinate key regional sectors and workforce intermediaries in generating partnerships of employers.
- Coordinate activities to expand Registered Apprenticeships with a focus on engaging all levels of employers to secure paid RAs in high-skilled, high demand, competitive wage occupations in priority sectors identified by the Regional Economic Development Council(s).
- Focus on outreach, Related Instruction (RI) through non-credit and credit certificate and degree programs and hybrid and competency-based training and testing.
- Proposals should consider innovative ideas for pre-apprenticeship training, including new pathways for underrepresented populations.

Proposals must be coordinated through SUNY System Administration via the Office of Community Colleges and the Education Pipeline.

**Eligibility:** While all 30 SUNY community colleges are eligible to apply, two colleges will be selected to serve as leads in priority industries (outside of construction) not previously identified.

**Award Level:** \$3.0M is available for awards, with a Minimum Award of \$1.0M and a Maximum award of \$3.0M.

\*The SUNY Apprenticeship Program funding was awarded on September 23, 2019 to Mohawk Valley Community College to support workforce development apprenticeship initiatives in information technology, cybersecurity, artificial intelligence and other priority industries. SUNY colleges interested in working with MVCC on implementation of this new program across New York State should contact James Willey at [JWilley@mvcc.edu](mailto:JWilley@mvcc.edu).

**Reporting:** Awarded institutions will be expected to furnish a mid-year and year-end report to the SUNY Office of Community Colleges and the Education Pipeline. Reports must include the following metrics:

- Number of Registered Apprentices
- Number of pre apprentices
- Number of first-time employers offering apprenticeships
  - Number of new employers included on SUNY Apprenticeship Program applications
  - Number of employers newly approved by NYSDOL working with SUNY Apprenticeship Program

### **SUNY Next Generation Job Linkage Program**

*Funding Available: Up to \$3 million*

#### **Purpose**

Job Linkage provides program support for SUNY's Community Colleges' in regionally needed or emerging sector programs leading directly to employment and addressing regional workforce demands aligned with Regional Economic Development Council(s) goals. Programs eligible for support may be included within the areas of certificate, Associate of Occupational Studies, and Associate of Applied Sciences degrees.

#### **Strategic Criteria**

Programs must have a demonstrable connection to employer or industry needs that are documented through direct employer or industry feedback, an advisory committee, labor market data, or other forms of credible direct knowledge of the sector or workforce need.

Requests for funding may be in the following areas:

- Data collection/review and/or research to determine/guide program updates.
- Creation or enhancement of course offerings and/or curriculum development to meet a workforce need.
- Providing applied and/or experiential learning opportunities for students in an identified sector/program that support the workforce development needs of regionally-significant, emerging, in-demand industries and occupations identified by the corresponding Regional Economic Development Council(s).
- Equipment and supplies necessary to run the program.

Applications may be made by a single college, or a consortium of colleges, within the region with an identified lead.

Proposals must be coordinated through System Administration via the Office of Community Colleges and the Education Pipeline.

**Eligibility:** All 30 SUNY Community Colleges are eligible to apply.

**Award Level:** \$3.0M is available for awards, with a Minimum Award of \$10.0K and a Maximum award of \$0.5M.

**Reporting:** Awarded institutions will be expected to furnish a mid-year and year-end report to the SUNY Office of Community Colleges and the Education Pipeline. Reports must include the following metrics:

- Number of new courses created
- Number of courses enhanced
- Number of programs enhanced
- Number of applied and or experiential learning opportunities
- Overview of equipment purchased and programs enhanced with purchase
- Impact of student academic persistence and completion

## SUNY Workforce Development Training Grant/Contract Courses

*Funding Available: Up to \$1.9 million*

### Purpose

The Workforce Development Training Grant program provides funding for SUNY Community Colleges to operate workforce development/job training programs to businesses and organizations to promote and encourage the location and development of new business in the State, and to create and retain employment opportunities in local communities.

### Strategic Criteria

All proposals should include training that is customized to the employer's needs. Three types of workforce training are eligible for funding:

- **Individual projects:** Projects that focus on training for a single employer in a particular training area or areas.
- **Consortium projects:** Projects that focus on a type of training that serves multiple employers or where multiple colleges work together as a regional consortium to train for an employer(s) in a specific area.
- **Demonstration projects:** A limited number of demonstration projects may be considered that develop and implement new and innovative courses, programs or curriculum.

The employer must contribute at least 25 percent of the total project cost in matching funds and at least 10 percent must be in the form of cash. The remaining 15 percent may be comprised of in-kind commitments.

Proposals must be coordinated through System Administration via the Office of Community Colleges and the Education Pipeline. Proposals for funding of \$15,000 or less will be subject to an expedited, one phase review process by SUNY. Applicants for \$15,000 or less proposals will be directed to a unique application portal, and will be required to complete both the Phase 1 and Phase 2 CFA questions in their initial application.

**Eligibility:** All 30 SUNY Community Colleges are eligible to apply.

**Award Level:** \$1.9M is available for awards, with a Minimum Award of \$500 and a Maximum award of \$125,000.

**Reporting:** Awarded institutions will be expected to furnish a year-end report to the SUNY Office of Community Colleges and the Education Pipeline. Reports must include the following metrics:

- Number of employer partners
- Number of individuals trained
- Number of contact hours

### **CUNY 2020 Challenge Grant**

*Funding Available: Up to \$25 million*

#### **Purpose**

Funding from the CUNY 2020 Capital Challenge Grant Program will be distributed to CUNY institutions to support workforce development initiatives CUNY-wide. These capital funds are to be used for renovations and/or purchase of equipment in support of Work Force Development programs that address needs in emerging, in-demand industries or occupations as identified by the local Regional Economic Development Council. Support through the CUNY 2020 Capital Challenge Grant will help accomplish these tasks while also enhancing the academic mission of CUNY institutions and strengthening campus roles as an engine of regional economic development.

#### **Strategic Criteria**

Proposals must:

- Demonstrate clear link to Regional Workforce Development Initiatives.
- Note particular ties to strategic industries identified by the Regional Economic Development Council and how the funding would assist in addressing the needs of regional/sector employer networks.
- Indicate how the proposed project will support the workforce development and academic advancement of the region within which funds would be granted.
- Provide a timeline for implementation with realistic milestones.
- Provide a project narrative, data, and pertinent budget information.
- Indicate and document consultation and coordination with CUNY Central Office, both in the submission and execution phases of the proposed activity.

Please note that proposals that include one or more of the following attributes will be viewed favorably:

- Demonstrated readiness of partnering with employers in the region, preferably with hiring plans for successful completers of training programs using facilities/equipment supported by the grant.
- Demonstrated collaboration across multiple institutions.
- A scalable or replicable benefit across the system and/or State; clear, evidence-based documentation to support this assertion must be included.
- Demonstrates use of leveraged funding through philanthropic, in-kind, or existing campus funding to support project costs.

- Proposals that incorporate a quick time frame to implementation, defined as having proposal components that are actionable (i.e. work will begin) within 12-15 months from award.
- Provide a demonstrated and clear pathway to long-term financial sustainability.

Finally, in general, institutions are encouraged to develop and submit innovative proposals.

### **Performance Metrics:**

CUNY 2020 Challenge Grant program proposals should define and measure success against the following:

- Creation of and adherence to a project schedule, with specific milestones that either correspond to specific workforce development project needs or that facilitate the initiation and success of separate workforce development activities in the approved region.
- Calculate results measured in categories related to:
  - Additional academic capacity (ability to educate students, workforce, or general populace),
  - Workforce (measured in terms of the output of additional skilled workers), or
  - A combination of the above.
- Ability of the project to advance both academic needs and meet workforce development initiative needs:
  - Defined, for this purpose, as the ability of the proposed project to help implement cutting edge research/emerging workforce needs that are tied to the new needs of the region.

### **Eligibility:**

All CUNY institutions are eligible to participate.

### **Award Level:**

\$25.0M is available for award

Minimum award is \$5.0M

Maximum award is \$25.0M.

## CUNY Apprenticeship Program

*Funding Available: Up to \$2 million*

### Purpose

The CUNY Apprenticeship Program will assist in developing pre-apprentice and registered apprenticeships in technology, healthcare, construction/trades and other high needs fields identified by the corresponding Regional Economic Development Council. In partnership with NYSDOL's Apprenticeship Office, CUNY is well-positioned to leverage resources at the community colleges to provide expertise and support to expand apprenticeships tailored to meeting workforce development needs of regionally-significant, emerging, in-demand industries and occupations that can help create stable, professional careers for the University's students.

### Strategic Criteria

Proposals must:

- Provide a demonstrated ability to work in partnership with the New York State Department of Labor (NYSDOL).
- Demonstrate the ability to coordinate key regional sectors and workforce intermediaries in generating partnerships of employers.
- Promote and strengthen current apprenticeship programs in the New York City area.
- Focus on outreach, Related Instruction (RI) through non-credit and credit certificate and degree programs and hybrid and competency-based training and testing.
- Enhance activities of existing programs such as ongoing development and alignment of curricula with on-the-job-training and employer needs.
- Engage all levels of employers to secure paid registered apprenticeships in high-skilled, high demand, competitive wage occupations identified by the Regional Economic Development Council (i.e. funds are not to be used for wages).
- Proposals should consider innovative ideas for pre-apprenticeship training, including new pathways for underrepresented populations.

Coordinate submission of proposal through CUNY System Office.

**Eligibility:** All CUNY community colleges are eligible for an award.

**Reporting:** Award recipients will be expected to furnish a mid-year and final narrative report to the CUNY Central Office. Reports must include the following metrics:

- Number of students in registered apprenticeship programs
- Number of students in pre-apprenticeship programs
- Number of employers that received CUNY Apprenticeship funds

- Number of employers offering apprenticeships to your students
- Number of employers whose apprenticeship became a “registered apprenticeship” because of their partnership with CUNY

**Award Level:** \$2.0M in total is available for awards, with an expected (4-5) awards to be made.

## CUNY Next Generation Job Linkage Program

*Funding Available: Up to \$2 million*

### **Purpose**

Support programs, education and training for students in high job demand industries aligned with Regional Economic Development Council goals that support living wages for participants. Programs eligible for support may be included within the areas of certificate and Associate of Applied Sciences degrees.

### **Strategic Criteria**

Programs must have a demonstrable connection to employer or industry needs that are documented through direct employer or industry feedback, an employer advisory committee, labor market data, or other forms of credible direct knowledge of the sector or workforce need.

Requests for funding may be in the following areas:

- Support for students and programs in Associate's Degree programs and credit-bearing certificate programs
- Labor market research to determine/guide program updates or additions.
- Creation or enhancement of course offerings and/or curriculum development to meet a workforce need.
- Providing applied and/or experiential learning opportunities for students in an identified sector/program that support the workforce development needs of regionally-significant, emerging, in-demand industries and occupations identified by the corresponding Regional Economic Development Council.

Coordinate submission of proposal through CUNY System Office.

Proposals should identify how programs connect with labor market trends for the NYC region, and identify any partnerships with employers or industry advisory committees.

**Eligibility:** All CUNY community colleges are eligible to apply.

**Reporting:** Award recipients will be expected to furnish a mid-year and final narrative report to the CUNY Central Office. Reports must include the following metrics:

- Number of new courses created
- Number of courses enhanced
- Number of applied learning opportunities
- Number of job/internship placements
- Impact of student academic persistence and completion

**Award Level:** \$2.0M is available for awards.

**Application Prompts:**

1. Please provide a synopsis of your proposed program/initiative (100 words maximum).
2. How does your program align with the strategic criteria of the CUNY Next Generation Job Linkage Program?
3. What are the specific outcomes, goals, and/or deliverables for this initiative? How will you measure the impact of your program/initiative?
4. For new programs, provide labor market data that demonstrate the need for this program and the return on investment for students to earn this credential/degree.

For existing programs, provide the last two years' outcomes data that demonstrate the impact of your approach.

5. Describe the role of employer partners in your program and identify established partnerships (company/organization name and year partnership began).
6. What challenges do you foresee to achieving program success and what steps will you take to mitigate those challenges?
7. Provide a budget using the FY20 Budget Worksheet

## CUNY Workforce Development Training Grant/Contract Courses

*Funding Available: Up to \$1.9 million*

### **Purpose**

The CUNY Workforce Development Training Grant program is intended to enhance and support programs and initiatives to encourage collaborative efforts with industry to develop a highly-skilled workforce and address needs in NYC economic region particularly in the technology, healthcare, advanced manufacturing, and sustainability/resiliency industries. This program offers funding to develop specific and customized training to cohorts of students from individual employers or a consortium of employers with similar needs.

All proposals must have documented employer partners with whom the training is collaboratively built.

### **Strategic Criteria**

- Engage in meaningful relationships with industry and work directly with employers to improve academic program alignment to key sectors.
- Proposals should reflect a mix of industry-aligned coursework and skills trainings in order to give participants hands-on, applicable skills.
- Employ a career pathways approach to connect students to work with the provision of wraparound services, retention, and/or job placement services.
- Develop partnerships with companies to create and deliver learning-related solutions to skills gaps.

Coordinate submission of proposal through the CUNY System Office.

**Eligibility:** All CUNY community colleges are eligible to apply.

**Reporting:** Award recipients will be expected to furnish a mid-year and final narrative report to the CUNY Central Office. Reports must include the following metrics:

- Number of employer partners
- Number of employees trained
- Number of contact hours

**Award Level:** \$1.88M is available for awards in total.

## **Employee Training Incentive Program**

*Funding Available: Up to \$5 million*

### **Objective**

The Employee Training Incentive Program provides refundable tax credits to New York State employers for procuring skills training that upgrades or improves the productivity of their employees. Businesses can also receive tax credits for approved internship programs that provide training in advanced technology, life sciences, software development or clean energy.

### **Overview**

Tax credits may be awarded for costs associated with an eligible training program for current or new employees. The internship program is available for current students, recent graduates and recent members of the armed forces. Tax credits may be issued only after approved training is completed.

- Employee Training Incentive Program: a credit of 50% of eligible training costs, up to \$10,000 per employee receiving eligible training.
- Internship Program: a credit of 50% of the stipend paid to an intern, up to \$3,000 per intern.

### **Eligibility**

A business entity must submit an initial application for approval prior to procuring eligible training or retaining interns. Applicants must demonstrate that the training provider has suitable experience and expertise specific to the training for which assistance is being sought.

### **Employee Skills Training**

Businesses must make a significant capital investment resulting in a benefit-cost ratio of at least 10:1 in relation to the eligible training project. Businesses must operate predominantly in a strategic industry based upon the following criteria:

- Potential to create jobs in an economically distressed area
- Shortages of workers trained to work in that industry
- Ability and need to relocate to another state to find qualified workers
- Potential to recruit minorities and women to be trained to work in an industry where they are traditionally underrepresented
- Recent technological advances have created disruption in the industry and significant capital investment is needed to remain competitive

## **Internship Program**

An eligible internship program must provide training in advanced technology, life sciences, software development or clean energy.

Advanced technology means the research, development and manufacturing of goods and their applications in the areas of advanced materials and processing technologies, integrated electronics, optics, biotechnology, information and communication technologies, automation and robotics, electronics packaging, imaging technology, remanufacturing, and other such areas as the commissioner shall determine.

Life Sciences means agricultural biotechnology, biogenetics, bioinformatics, biomedical engineering, biopharmaceuticals, academic medical centers, biotechnology, chemical synthesis, chemistry technology, medical diagnostics, genomics, medical image analysis, marine biology, medical devices, medical nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research, medical and neurological clinical trials, health robotics and veterinary science.

Software development means firms engaged in the creation of coded computer instruction.

Clean energy means sources of energy which are capable of being continually restored by natural or other means or are so large as to be useable for centuries without significant depletion and include but are not limited to solar, wind, plant and forest products, wastes, tidal, hydro, geothermal, deuterium, and hydrogen. Fossil fuels are excluded.

Training can be provided by the business or by an approved provider and can be provided to interns who have not previously participated in an eligible internship program, and who are not current or former employees of the business. The business entity must have fewer than 100 employees, and interns cannot comprise more than 50% of the workforce, or displace regular employees. Participation in the internship program cannot last longer than 12 months.

## **Ineligible Activities/Industries**

Training designed to train or upgrade skills as required by a federal or state entity, training that may result in the awarding of a license or certificate required by law in order to perform a job function, and culturally focused training are not eligible for tax credits under the program.

The following types of businesses are also prohibited from participating in the program:

- Accounting firms

- Businesses engaged in the generation or distribution of electricity, the distribution of natural gas, or the production of steam associated with the generation of electricity
- Businesses providing business administrative or support services
- Businesses providing personal services
- Businesses providing utilities
- Finance and financial services retail and wholesale businesses
- Hospitality
- Law firms
- Medical or dental practices
- Real estate brokers
- Real estate management companies
- Restaurants

## NYS Department of Labor – Workforce Development Initiatives Program

*Funding Available: Up to \$25 million*

### Description

The Workforce Development Initiatives Program makes up to \$25 million available to award grants on an ongoing basis to provide occupational skills training commensurate with Regional Economic Development Council (REDC) priorities to: existing employees; newly hired employees; and/or underemployed/unemployed individuals (to qualify them for full-time (35-hours per week or more) or part-time employment or a higher level of employment).

Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with the skills required to perform a specific job or group of jobs needed by a business.

### Eligible Project Type Descriptions

There are three program types under the NYS Department of Labor Workforce Development Initiatives Program:

1. Existing Employee Training (EET) Program;
2. New Hire Training (NHT) Program; and
3. Unemployed/Underemployed Worker Training (UWT) Program.

#### 1. Existing Employee Training Program – up to \$10 million

The Existing Employee Training (EET) Program provides funding to train businesses' existing employees who are currently employed in low or middle-skills occupations.

Middle-skills occupations are defined as those requiring a level of preparation to work in that occupation that includes post-secondary education and training beyond high school but less than a bachelor's degree. The postsecondary education and/or training may include an associate's degree, vocational certificates, significant on-the-job training, previous work experience, or some college.

The position(s) targeted for training must exist and be identified at the time the application is submitted.

Part-time employees are eligible for training under this grant if they have a permanent, year-round attachment to the applicant. Temporary employees, seasonal employees, public (federal, state, county, municipal, public authority and public benefit corporation) employees and volunteers are not eligible for training under the EET Program.

Allowable costs under the EET program include the following:

- The costs of outside vendors or in-house trainers to provide on-site or off-site classroom training. Training provided by in-house staff may not be billed at a per trainee rate. The EET Program will only reimburse the actual hourly wage rate (salary only, no fringe benefits) of the in-house trainer. Training by in-house staff must be for a minimum of two trainees per course.
- Textbooks or training materials directly associated with the training.
- Distance learning fees (i.e., the fee for the training slot and software required to deliver the program of training). The EET program will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.
- Credentialing exam fees.

## **2. New Hire Training Program – up to \$6 million**

The New Hire Training (NHT) Program awards funding to train employees upon being hired, who require on-the-job training in specific occupational skills. Applicants are eligible to receive reimbursement for up to 75% of the newly hired employee's wages (depending on size of business) for a period of time appropriate for the employee to become proficient in the occupation skill, but not to exceed one year (maximum award period). A newly hired worker under this NHT RFA must have been hired as an employee of the Applicant business within six (6) months of the start of the training.

Additional NHT Program requirements include the following:

- The training must apply to a job opportunity for full-time employment (defined as 35 hours or more per week) in New York State paying at least the NYS minimum wage, with an emphasis on higher wages. Wage calculations to determine NHT Program reimbursement may not include payment for holiday or overtime hours worked.
- The training must occur on-the-job while the trainee is engaged in productive work.
- The new hires must be employees of the applicant, and not independent contractors or contract employees.
- Eligible applicants may only apply for one NHT Program grant under this solicitation, not one per location.
- The applicant may not apply for seasonal positions or positions based on the addition of commission or tips to a sub-minimum wage base salary.
- The hiring business must be willing to assure that:
  - The intention in hiring is for the newly hired employee to remain employed with the business at the same or higher rate of pay upon completion of the training.
  - The training will take place during the newly hired employee's work hours (i.e., during the shift/hours for which the worker was hired) and the employee will be compensated at no less than their normal rate of pay.

- No currently employed worker shall be displaced by the newly hired employee, including a partial displacement such as a reduction in the hours, wages, or employment benefits.
- Training is in compliance with New York State labor law and federal law for the protection of workers.

Additional points in scoring will be given to applications that train unemployed/underemployed individuals in priority populations, which include but are not limited to: veterans, individuals with disabilities, formerly incarcerated individuals, long-term unemployed, and TANF and SNAP recipients. The complete list of priority populations under this program is available on the NYSDOL website:

<https://www.labor.ny.gov/cfa/CFA-WDI-DPP-Determining-Priority-Populations.pdf>.

### **3. Unemployed/Underemployed Worker Training Program – up to \$9 million**

The Unemployed/Underemployed Worker Training (UWT) Program awards funding for occupational skills training to unemployed/underemployed workers to qualify them for: full-time employment (35-hours per week or more); part-time employment; and/or a higher level of employment.

Additional points in scoring will be given to applications that train unemployed/underemployed individuals in priority populations, which include but are not limited to: veterans, individuals with disabilities, formerly incarcerated individuals, long-term unemployed, and TANF and SNAP recipients. The complete list of priority populations under this program is available on the NYSDOL website:

<https://www.labor.ny.gov/cfa/CFA-WDI-DPP-Determining-Priority-Populations.pdf>.

Applicants must demonstrate a commitment from business(es) to interview individuals who successfully complete the training.

Allowable costs under this program include:

- The cost of providing occupational skills training course(s) as a tuition rate;
- Credentialing exam fees;
- Textbooks or training materials directly associated with the training;
- Software required to deliver the program of training;
- Distance learning fees (i.e., the fee for the training slot and software required to deliver the program of training). This program will not pay for the cost of any hardware that may need to be purchased in order to access the instruction; and
- Supportive services for trainees which may include: miscellaneous participant expenses; incentives for reaching benchmarks; payments for transportation, child care, housing, and dependent care.

## Eligible Applicants

### EET Program and NHT Program

- For-profit entities, including corporations, LLCs, LLPs, etc. with two or more employees or the equivalent of two full-time employees; or
- Not-for-profit entities with two or more employees or the equivalent of two or more full-time employees.

### UWT Program

- For-profit entities, including corporations, LLCs, LLPs, etc. with two or more employees or the equivalent of two full-time employees;
- Not-for-profit entities with two or more employees or the equivalent of two or more full-time employees;
- Municipalities with two or more employees or the equivalent of two full-time employees; and
- Educational institutions, including colleges and universities, with two or more employees or the equivalent of two full-time employees.

### Note that:

- Unincorporated Local Workforce Development Boards (LWDBs) must designate the local area's WIOA Grant Recipient or Fiscal Agent as the official grantee for any award under this offering.
- Training should be provided by the training providers on the Eligible Training Provider List, but this is not a requirement.
- Eligible applicants are allowed (i.e., have authority) to enter into contracts with institutions of higher education, such as community colleges, or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations.
- LWDBs cannot deliver training directly with these WIOA funds.

## Method of Selection

The method of selection will be based on a point system, with the program design worth 80% of the total score and program cost worth 20% of the total score. Applications will be reviewed in the order they are received. Each application will be scored on its individual merit and will not be compared to other applications. Successful applicants will be awarded until the funds allocated to the program have been exhausted. Eligible applications that fail to attain the total score necessary for award will be notified and are eligible to revise their applications and reapply, if sufficient time and funding remain.

## Grants Gateway Process

In keeping with the Governor's promise to reform the State's grant contracting process, New York State established a standardized statewide grant contracting system called the Grants Gateway, which is designed to facilitate prompt contracting.

- **All applicants** are required to register in this system in order to be able to enter into a contract with New York State. All entities must log-in to the Grants Gateway website at <https://grantsgateway.ny.gov> and follow the instructions to complete the registration. The registration form must be signed, notarized and mailed to Gateway Administrators. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.
- **Non-governmental not-for-profit organizations** must take the additional step of prequalifying by completing a basic profile and storing organizational documents. Both registration and prequalification must be completed by not-for-profit organizations before application submission. Failure to do so will mean that their applications will not be reviewed. Not-for-profit organizations will be able to submit their responses online, and, once reviewed and approved by a state agency prequalification specialist, the not-for-profit organization will be able to complete the application process, and all information will be stored in a virtual, secured vault. Not-for-profit organizations must keep their information current throughout the three-year period, including uploading annual documents (990, etc.).

For additional information on registration and prequalification, please log on to the Grants Gateway web site at <https://grantsgateway.ny.gov> and/or the Grants Reform Website at [www.grantsreform.ny.gov](http://www.grantsreform.ny.gov).

## Award, Conditions & Requirements

### *Awards*

#### EET Program

- Awards may not exceed \$100,000 for applicants with 2-50 employees; \$200,000 for applicants with 51-100 employees; or \$300,000 for applicants with 101 or more employees.

#### NHT Program

- Awards may not exceed \$100,000 per applicant.

#### UWT Program

- Awards may not exceed \$200,000 per applicant.

Eligible applicants may apply for funding under one or more of these programs, however the funds awarded cannot be combined for use on the same trainees.

### *Contracts*

The start date for all contracts resulting from this solicitation may be no earlier than the date of the award letter issued by NYSDOL and no later than six months after the date of the award letter. Any training that begins or is paid for prior to the contract start date will fall outside the contract period and be ineligible for reimbursement. Additionally, any training provided after the contract end date will also fall outside the contract period and will be ineligible for reimbursement.

Contracts resulting from this solicitation will be awarded for a period of up to one year. Applicants must include only the training opportunities that can be reasonably accomplished within a one-year time period. Only private or public not-for-profit organizations and LWDBs funded under the UWT Programs and private not-for-profit organizations under the EET program will be eligible for a cash advance of up to 25% upon contract execution at the sole discretion of NYSDOL and subject to the availability of funds appropriated and available for contracts entered into pursuant to this solicitation. Any award must be expended on program activities in New York State.

Once a contract is developed and formally executed, the successful applicant will be considered a NYSDOL Contractor. Funds will be released to the Contractor on a cost reimbursement basis. This means that a Contractor must first pay the expenses and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made. For cost reimbursements to be approved, certain records must be kept and specific documents submitted.

### **Contact / Additional Program Information:**

The contact for this program is Juie Deo, New York State Department of Labor, Division of Employment and Workforce Solutions, State Office Campus, Building # 12, Room # 440, Albany, New York, 12240, (518) 457-1856.

Applicants may submit questions via electronic mail ([CFA@labor.ny.gov](mailto:CFA@labor.ny.gov)). No telephone inquiries will be accepted. All inquiries should reference "CFA Question" in the Subject line. Answers to all questions will be posted on NYSDOL's website (<http://labor.ny.gov/businessservices/funding.shtm>) on an ongoing basis.

The full Request for Applications (RFAs) and any related questions and answers are available on NYSDOL's web site at <http://www.labor.ny.gov/businessservices/funding.shtm> and at <http://labor.ny.gov/cfa/index.shtm>.

The New York State Department of Labor is an Equal Opportunity Employer. Auxiliary aids and services are available upon to individuals with disabilities.

## **Pay for Success Program**

*Funding Available: Up to \$51 million*

### **Description**

The Pay for Success (PFS) Program makes available up to \$51 million in funding to award grants, on a competitive basis commensurate with Regional Economic Development Council (REDC) priorities, to provide job linkage, training, and/or employment services to individuals. Funding will be provided to the entity providing the training or employing an individual upon certification that predetermined milestones of performance were met and certified by the Office for Workforce Development.

Preference will be given to proposals that provide services to individuals in priority populations, which include but are not limited to: veterans, individuals with disabilities, formerly incarcerated individuals, long-term unemployed, and recipients of Temporary Assistance and Supplemental Nutrition Assistance Program (SNAP). The complete list of priority populations under this program is presented in an Attachment of the solicitation.

The method of selection will be based on a two-phase selection process that includes recommendations by the REDCs and a final determination by an interagency committee.

### **Eligible Applicants**

- Training providers with two or more employees, or the equivalent of two or more full-time employees.
- Organizations, nonprofits, and local governments that have the capacity to manage transformative workforce projects in the region.
- Business enterprises operating in New York State or planning to operate in the State.
- All eligible applicants will have a demonstrated record of securing employment for clients and program participants.

### **Pay for Success Projects**

- Applicants should propose projects that connect job seekers to employment and provide training, educational, or other services to job seekers with the ultimate outcome of employment for the job seeker.
- Proposals will identify the types of services that will be provided to ensure positive outcomes.
- Successful outcomes must have attaining employment and job retention for at least six months as the primary criteria.

- Applicants must demonstrate that they have funds on hand to support the project through the end of the initial milestone that is agreed to between the funder and the application.
- Contracts will be for the length of one year, with the possibility of extension as appropriate and if performance measures are being met.
- Receipt of the full award is contingent upon demonstrating the successful completion of all predetermined performance targets. If the awardee is unable to demonstrate the required results, for each target, some or all the funds may be withheld. Funds may be provided incrementally with the risk of recapture at the various pre-determined milestones, provided that the ultimate milestone must be the achievement and/or maintenance of employment for the individual.

In keeping with the Governor's promise to reform the State's grant contracting process, New York State established a standardized statewide grant contracting system called the Grants Gateway, which is designed to facilitate prompt contracting.

- All applicants are required to register in this system in order to be able to enter into a contract with New York State. All entities must log-in to the Grants Gateway website at <https://grantsgateway.ny.gov> and follow the instructions to complete the registration. The registration form must be signed, notarized and mailed to Gateway Administrators. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.
- Private not-for-profit organizations must take the additional step of prequalifying by completing a basic profile and storing organizational documents. Both registration and prequalification must be completed by private not-for-profit organizations before the contract execution of successful applicants. Failure to do so will mean that their contracts will not be executed. Private not-for-profit organizations will be able to submit their responses online, and, once reviewed and approved by a state agency prequalification specialist, the private not-for-profit organization will be able to complete the contracting process, and all information will be stored in a virtual, secured vault. Private not-for-profit organizations must keep their information current throughout the three-year period, including uploading annual documents (990, etc).

For additional information on registration and prequalification, please log on to the Grants Gateway web site at <https://grantsgateway.ny.gov> and/or the Grants Reform Website at [www.grantsreform.ny.gov](http://www.grantsreform.ny.gov).

### **Award, conditions & requirements**

#### *Matching Fund Requirements*

The PFS Programs does not have match requirements, but leveraged funds will be looked at favorably during the evaluation process.

*Contracts*

Contracts resulting from this solicitation will be awarded for a period of up to two years. Any award must be expended on program activities in New York State.

## Workforce Training: Building Operations & Maintenance

*Funding Available: Up to \$10 million*

### Description

NYSERDA's Building Operations and Maintenance Workforce Development and Training Program seeks to reduce energy use, associated carbon emissions, and building operations costs by enhancing the skills of operations and maintenance staff and managers across the State. The Program provides employers and building owners with support to implement workforce development and training projects that create the talent development strategy, corporate culture, on-site training framework, and training tools needed to support building operations and maintenance workers beyond classroom training. NYSERDA will support eligible projects by providing funding for activities such as, but not limited to, on-site training laboratories, curriculum development, career pathways training, coaching/mentorships, apprenticeships, internships, training trainers within a company, and partnerships with manufacturers. Projects submitted to this program should be designed to help employers build upon their employees' technical skills and reduce facility energy use, while realizing other corporate benefits such as reduced equipment downtimes, increased occupant comfort, reduced occupant complaints and tenant turnover, increased numbers of staff with national certifications, and opportunities for promotion and career advancement.

This program targets the operations and maintenance workforce employed in the following building types: multifamily housing, office buildings, retail, colleges and universities, hospitals and health care facilities, State and local governments, not-for-profit and private institutions, industrial facilities, and public and private K-12 schools. Other building types will be evaluated on a case-by-case basis. Eligible participants include facilities that are New York State electricity customers of a participating utility company and are paying into the System Benefits Charge (SBC)/Clean Energy Fund (CEF). While a training organization may be the lead proposer, it must partner with a specified entity employing building operations and maintenance workers. Proposals must impact staff working in buildings or groups of buildings, including partnerships of businesses with common training needs and skills gaps that have total annual energy expenditures of \$1 million or more. Building operations and maintenance occupations or job titles that are targeted for hands-on and on-site training under this program may include, but are not limited to, the following: facilities and property managers; operating and stationary engineers; technicians; building superintendents; maintenance workers; mechanics and supervisors; electricians; HVAC technicians; procurement staff; facility coordinators; and energy/sustainability managers. Potential cost reduction and efficiency improvements achieved through training could target, but are not limited to HVAC systems and controls; building envelope; mechanical systems; building diagnostics; pneumatic systems and controls; building set points and temperature standards; and lighting and lighting controls, motors, etc.

NYSERDA will provide cost share of up to 50% with a cap of \$400,000 per application.

**Contact**

- Angela Datri  
(518) 862-1090, Ext. 3515
- Adele Ferranti  
(518) 862-1090, Ext. 3206



# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

## PUBLIC NOTICE Office of General Services

Pursuant to Section 30-a of the Public Lands Law, the Office of General Services hereby gives notice to the following:

Notice is hereby given that the Office of Children and Family Services has determined that the property located at 599 Port Richmond Avenue in the Borough of Staten Island, City and State of New York (Tax Identifier Block 1059, Lot 7) consisting of a two story residence on a 4,132 square foot lot no longer useful or necessary for their purposes and has declared the same abandoned for sale or other disposition as Unappropriated State land.

*For further information, please contact:* Thomas Pohl, Esq., Office of General Services, Legal Services, 36th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, (518) 474-8831

## PUBLIC NOTICE Office of General Services

Pursuant to Section 30-a of the Public Lands Law, the Office of General Services hereby gives notice to the following:

Notice is hereby given that the Department of Corrections and Community Supervision has determined that the property formerly known as the Butler Correctional Facility located at 14001 Westbury Cutoff Road, Town of Butler, County of Wayne, State of New York (Tax Identifiers 78117-00-219284, 78117-00-383283, and 78117-00-27141) consisting of 57 major and minor buildings on 200± acres is no longer useful or necessary for their purposes and has declared the same abandoned for sale or other disposition as Unappropriated State land.

*For further information, please contact:* Thomas Pohl, Esq., Office of General Services, Legal Services, 36th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, (518) 474-8831

## PUBLIC NOTICE Office of General Services

Pursuant to Section 30-a of the Public Lands Law, the Office of General Services hereby gives notice to the following:

Notice is hereby given that the Office of Children and Family Services has determined that the property formerly known as Lansing Residential Center located at 270 Auburn Road in the Town of Lansing, Tompkins County, State of New York (Identified on Tompkins County Tax Map as part of Section 31, Block 1, Lot 13 and Lot 14.2) consisting of a residential detention center 10± significant structures totaling 75,528± square feet on 23.48± acres no longer useful or necessary for their purposes and has declared the same abandoned for sale or other disposition as Unappropriated State land.

*For further information, please contact:* Thomas Pohl, Esq., Office of General Services, Legal Services, 36th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, (518) 474-8831

## PUBLIC NOTICE Department of Health

Proposed changes to 2020 New York State hospital-acquired infection reporting requirements

The New York State (NYS) Department of Health (Department) requires that hospitals report certain hospital-acquired infections using CDC's National Healthcare Safety Network (NHSN). In 2019, hospitals are required to report central line-associated bloodstream infections (CLABSIs) in intensive care units, medical/surgical wards, oncology, mixed-acuity, and step-down units; surgical site infections following colon, hip replacement, coronary artery bypass graft, abdominal hysterectomy, and spinal fusion procedures; Clostridium difficile infections; and carbapenem-resistant Enterobacteriaceae infections. The Department is proposing the following two changes to the reporting requirements beginning January 2020.

1. Expand mandated reporting of central line-associated bloodstream infections (CLABSIs) to include Telemetry units.

NYS excludes certain hospital location types from reporting CLABSIs. Telemetry units were excluded because they were not thought to typically have many patients with central lines or CLABSIs. However, during recent audits NYSDOH staff have identified a significant number of BSIs in patients with central lines on telemetry units, leading to the conclusion that the locations were incorrectly mapped, or the acuity and presence of devices is higher than originally thought. It is important to add CLABSI reporting in telemetry units to improve the accuracy of the data and to decrease morbidity and mortality associated with these preventable infections in these units. The data would be reported to the National Healthcare Safety Network (NHSN) using the location name IN:ACUTE:WARD:TEL.

Monitoring CLABSIs in all hospital inpatient locations is supported by the National Quality Forum (CLABSI measure 0139). Evidence-based central line insertion and maintenance practices to reduce the risk of CLABSIs are applicable to central line use across hospital locations. Standardized surveillance allows hospitals to track their progress over time and compared to other facilities.

2. Exclude reporting of Clostridioides difficile infection (CDI) and carbapenem-resistant Enterobacteriaceae (CRE) by inpatient psychiatric facilities (IPFs).

Currently in NYS, hospitals are mandated to report laboratory-identified inpatient cases of CDI and CRE infections. In 2015, CDC modified the NHSN application to allow users to designate inpatient psychiatric facilities (IPFs) with separate CMS Certification Numbers (CCN), and at the same time modified the laboratory-identified event reporting protocol to exclude these locations from facility-wide inpatient (FWI) CDI/MDRO reporting. NYS required hospitals to report CDI and CRE numerator and denominator data in IPFs to facilitate monitoring trends and validating that facilities appropriately exclude these counts from the FWI data. CDI and CRE rates in IPFs are very low, and data entry is time consuming. Therefore, NYSDOH believes IPFs can be exempted from reporting these indicators without negatively impacting patients within these facilities. NYS will continue to require CDI and CRE reporting in Inpatient Rehabilitation Facilities (IRFs) within the hospital.

The changes to mandatory reporting detailed above would begin January 1, 2020.

Annual NYS HAI reports ([https://www.health.ny.gov/statistics/facilities/hospital/hospital\\_acquired\\_infections/](https://www.health.ny.gov/statistics/facilities/hospital/hospital_acquired_infections/)) continue to show significant variation in risk-adjusted HAI rates across hospitals, indicating opportunities for improvement among the hospitals with the highest rates. To encourage the continued progress of preventing HAIs by NYS hospitals, there will be no additional changes in current mandated reporting indicators.

For additional information about the NYSDOH HAI Reporting Program, see [http://www.health.ny.gov/statistics/facilities/hospital/hospital\\_acquired\\_infections/](http://www.health.ny.gov/statistics/facilities/hospital/hospital_acquired_infections/)

*Please email comments to:* HAI@health.state.ny.gov *or write to:* Hospital-Acquired Infection Reporting Program, Department of Health, Corning Tower Rm. 523, Albany, NY 12237 by November 20, 2019

## PUBLIC NOTICE

Department of State  
F-2019-0774

Date of Issuance – November 13, 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-2019-0774 or the “218 River Road Project”, the applicant Steve Griggs Land Design, is proposing to construct of a 4-foot-wide by 30-foot-long open grate, composite fixed boat dock at the end of a 4-foot-wide by 100-foot-long walkway that will be secured to timber pilings. The project is located at 218 River Road Village of Grand View on Hudson, Rockland County, Hudson River.

The applicant’s consistency certification and supporting information are available for review at: [http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2019-0774\\_Griggs\\_App.pdf](http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2019-0774_Griggs_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, December 13, 2019.

*Comments should be addressed to:* 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

### 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.

2019-0621 Matter of Betty S. Farley-Alexander, 317 Ocean Avenue, Malverne, NY 11565, for a variance concerning safety requirements, including the required ceiling height and heights under a girder/soffit. Involved is an existing one family dwelling located at 317 Ocean Avenue, Village of Malverne, NY 11565, County of Nassau, State of New York.

2019-0624 Matter of Jared Mandel Architect P.C., Jared Mandel, 25 Hillside Avenue, Williston Park, NY 11596, for a variance concerning safety requirements, including the required heights under a girder/soffit. Involved is an existing one family dwelling located at 1012 North 6th Street, Town of North Hempstead, NY 11040, County of Nassau, State of New York.

2019-0625 Matter of David Nadal, 532 Cornwell Avenue, Malverne, NY 11565, for a variance concerning safety requirements, including the required heights under a girder/soffit. Involved is an existing one family dwelling located at 532 Cornwell Avenue, Village of Malverne, NY 11565, County of Nassau, State of New York.

# EXECUTIVE ORDERS

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**Executive Order No. 147.24: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.23 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(x) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Evgeniy Lagoda on April 12, 2019, in Queens County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of October in the year two thousand nineteen.

*BY THE GOVERNOR*  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 147.25: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.24 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(y) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Luke Patterson on May 23, 2019, in Orange County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of October in the year two thousand nineteen.

*BY THE GOVERNOR*  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 147.26: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.25 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(z) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Ferdy Jacinto-Martinez on July 25, 2019, in Rockland County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of October in the year two thousand nineteen.

*BY THE GOVERNOR*  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 147.27: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.26 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(aa) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Susan Harrington on August 19, 2019, in Washington County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of October in the year two thousand nineteen.

*BY THE GOVERNOR*  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 147.28: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Letitia James, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an

additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.27 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(bb) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Gary Strobridge on August 28, 2019, in Chemung County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of October in the year two thousand nineteen.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

extensions of Executive Order 168 shall apply to the extent the Chairman of the MTA or his designee, which shall only include the MTA's President or Managing Director, determines it necessary for the purposes of awarding any contracts, leases, licenses, permits or any other written agreement that may be entered into to mitigate such disaster emergency.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this ninth day of October in the year two thousand nineteen.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

**Executive Order No. 168.29: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that Incorporate the MTA Region in the State of New York.**

WHEREAS, pursuant to Executive Order No. 168, a disaster has heretofore been declared in the five boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that incorporate the Metropolitan Transportation Authority (MTA) Region in the State of New York due to increasingly constant and continuing failures of the tracks, signals, switches and other transportation infrastructure throughout the system including at Pennsylvania Station located in the County of New York (Penn Station), that have resulted in various subway derailments, extensive track outages, and substantial service disruptions impacting the health and safety of hundreds of thousands of riders;

WHEREAS, the ongoing failures of the tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to pose an imminent threat and have a vast and deleterious impact on the health, safety, and livelihood of commuters, tourists, resident New Yorkers, as well as business and commerce in the Metropolitan Commuter Transportation District (MCTD), which is the recognized economic engine of the State of New York, and thereby have adversely affected the New York State economy;

WHEREAS, the track outages and service disruption necessary to implement the Amtrak Repair Program, and other repairs necessary to fix tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to be necessary to protect the public, health and safety of commuters, tourists, resident New Yorkers, and will continue to worsen the transportation disaster emergency that currently exists due to the condition of Penn Station and the MTA's rail and subway system as a whole; and,

WHEREAS, it continues to be necessary for the MTA and its subsidiaries and affiliates to take significant and immediate action to assist in the repair of the tracks, signals, switches and other transportation infrastructure and in the mediation of such track outages and service disruptions due to this disaster emergency;

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 the Laws of the State of New York, do hereby extend the state disaster emergency declared pursuant to Executive Order No. 168 and extend all of the terms, conditions, and directives of Executive Order No. 168 and the terms, conditions, and directives for any extensions of the same for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 168 until November 8, 2019; provided that the temporary suspension of any laws, rules, regulations or guidelines pursuant to this and any future