
NEW YORK STATE
REGISTER

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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 June 14, 2020
- the 45-day period expires on May 30, 2020
- the 30-day period expires on May 15, 2020

**ANDREW M. CUOMO
GOVERNOR**

**ROSSANA ROSADO
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

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

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

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

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

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

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

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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)

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RULE MAKING ACTIVITIES

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

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

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

Department of Environmental Conservation

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Regulations Governing Commercial and Recreational Fishing for Striped Bass

I.D. No. ENV-15-20-00015-EP
Filing No. 259
Filing Date: 2020-03-31
Effective Date: 2020-03-31

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

Proposed Action: Amendment of Parts 10 and 40 of Title 6 NYCRR.
Statutory authority: Environmental Conservation Law, sections 11-0303, 11-1521, 13-0105, 13-0339 and 13-0347

Finding of necessity for emergency rule: Preservation of general welfare.
Specific reasons underlying the finding of necessity: This emergency rule making is necessary for the preservation of the general welfare. Failure to adopt these amendments by emergency rule making to reduce harvest of Atlantic striped bass will result in population declines to the striped bass fishery stock and the closure of New York State's striped bass fishery by the federal government due to New York State's non-compliance with mandatory Interstate Fishery Management Plans (FMP).

The Department of Environmental Conservation (DEC) is amending the current commercial and recreational size limit restrictions for Atlantic striped bass to remain in compliance with the Atlantic States Marine

Fisheries Commission's (ASMFC) FMP for Atlantic Striped Bass. The new management measures adopted by ASMFC require that Atlantic striped bass fish removals be reduced by at least 18 percent, as specified in Addendum VI to Amendment 6 of ASMFC's FMP for Atlantic Striped Bass.

The promulgation of this regulation on an emergency basis is necessary because the normal rule making process would not allow the rule to take effect before April 1, 2020. This rule must be in effect by April 1, 2020 as required by ASMFC's FMP for Atlantic Striped Bass and because that date is the start of New York State's 2020 Atlantic striped bass fishing season.

Subject: Regulations governing commercial and recreational fishing for striped bass.

Purpose: To amend 6 NYCRR Parts 10 and 40 pertaining to commercial and recreational regulations for striped bass.

Text of emergency/proposed rule: Part 10 of 6 NYCRR is amended to read as follows:

Existing paragraph 10.1(b)(18) is amended to read as follows:
 (b) 'Table A- Sportfishing regulations.'

'Species'	'Open season'	'Minimum length'	'Daily limit'
(18) Striped Bass (in the Hudson River and tributaries north of the George Washington Bridge and all inland waters)	April 1 through November 30	18" to 28" TL [or > 40" TL] (total length see ECL § 13-0339[4])	1

Subparagraph 10.2(j)(2)(f) is amended to read as follows:
 (2) Table D: Fishing regulations for Delaware River and its West Branch bordering Pennsylvania.

'Species'	'Open season'	'Minimum length'	'Daily limit'
('f') Striped Bass	All year	28" to 35"	1

Subdivision 40.1(f) is amended to read as follows:
 (f) 'Table A—Recreational fishing.'

'Species'	'Open season'	'Minimum length'	'Daily limit'
Striped Bass (except the Hudson River north of the George Washington Bridge)	April 15 – Dec. 15	28" to 35"	1

Species Red drum through Atlantic menhaden remain the same.
 Subdivision 40.1(i) is amended to read as follows:
 (i) 'Table B—Commercial fishing.'

'Species'	'Open season'	'Minimum length'	'Trip limit'
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Striped Bass (the area east of a line drawn due north from the mouth of Wading River Creek and east of a line at 73 degrees 46 minutes west longitude, which is near the terminus of East Rockaway Inlet)	May 15-Dec. 15#	Not less than [28"] 26"TL nor greater than 38" TL	See subdivision (j) of this section
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Species Red drum through Atlantic menhaden remain the same.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 28, 2020.

Text of rule and any required statements and analyses may be obtained from: Carol Hoffman, New York State Department of Environmental Conservation, Marine Resources, 205 N. Belle Mead Rd., Suite 1, East Setauket, NY 11733, (631) 444-0476, email:carol.hoffman@dec.ny.gov.

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

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

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

Regulatory Impact Statement

1. Statutory authority:

Environmental Conservation Law (ECL) § 13-0105 directs that it shall be "the policy of the state that the primary principle in managing the state's marine fishery resource is to maintain the long-term health and abundance of marine fisheries resources and their habitats, and to ensure that [fisheries] are sustained in usable abundance and diversity for future generations." The legislature further directed that "the management of the state's transboundary and migratory species shall be consistent with [all] interjurisdictional management plans, interstate or state-federal."

ECL §§ 11-0303 and 13-0339 authorize DEC to adopt regulations governing Atlantic striped bass including: size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, and other management measures.

ECL §§ 11-1521 and 13-0347 establish additional provisions for striped bass management in the Hudson River and marine district, respectively.

2. Legislative objectives:

It is the objective of the above-cited legislation that DEC manages marine fisheries to optimize resource use for commercial and recreational harvesters in a manner that is consistent with federal marine fisheries conservation and management policies including all applicable interstate fishery management plans. These amendments will ensure that New York maintains compliance and consistency with requirements of the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass.

3. Needs and benefits:

This rule making must be adopted on an emergency basis for the preservation of the general welfare by ensuring that New York State maintains compliance with the requirements of ASMFC's FMP for Atlantic Striped Bass. Failure to maintain compliance with ASMFC's FMP for Atlantic Striped Bass may result in the federal closure of New York State's Atlantic striped bass fishery. FMPs are designed to promote the long-term sustainability of managed marine species, preserve the States' marine resources, and protect the interests of both commercial and recreational fishermen.

The proposed new management measures are required by Addendum VI to Amendment 6 of ASMFC's FMP for Atlantic Striped Bass, which is designed to reduce the removals of Atlantic striped bass by at least 18%. To comply with this directive, New York State must amend 6 NYCRR Parts 10 and 40 to ensure that the State's regulations are consistent with achieving the required reduction. Failure to adopt these regulations immediately as an emergency rule will result in population declines to critical Atlantic striped bass fishery stock and the potential closure of New York State's Atlantic striped bass fishery by the federal government due to New York State's failure to comply with mandatory FMP requirements.

4. Costs:

The proposed rule does not impose any costs to DEC, local municipalities, or the regulated public.

5. Local government mandates:

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

6. Paperwork:

None.

7. Duplication:

The proposed amendment does not duplicate any state or federal requirement.

8. Alternatives:

DEC, after consultation with the public including the Marine Resources Advisory Committee (MRAC), developed numerous proposals to address the ASMFC required 18% reduction in the striped bass fishery. The proposals developed included options such as different minimum size or slot limits and changes to the open season start and close date. While these proposals would have met the reduction requirement, the ASMFC Management Board voted on and approved only the options being proposed in this rule making. Implementation of any other option would place New York State out of compliance with the FMP.

"No action" alternative: Under this alternative New York State would not amend 6 NYCRR Parts 10 and 40. This alternative was rejected because of New York State's obligations to comply with ASMFC's FMP for Atlantic Striped bass. Failure to adopt the proposed regulations will result in further declines to critical fishery stock and the potential federal closure of New York State's Atlantic striped bass fishery.

9. Federal standards:

The amendments to 6 NYCRR Parts 10 and 40 are in compliance with Addendum VI to Amendment 6 of ASMFC's FMP for Atlantic Striped Bass.

10. Compliance schedule:

The proposed regulations will take effect immediately upon filing with the Department of State, and regulated parties will be able to immediately comply with the proposed rule. The public will be notified of the changes to the regulations through publication in the State Register, through appropriate news releases, and through DEC's website.

Regulatory Flexibility Analysis

1. Effect of rule:

The Atlantic State Marine Fisheries Commission (ASMFC) facilitates the cooperative management of marine and diadromous fish species among the fifteen Atlantic Coast member states. The principal mechanism for implementation of cooperative management of migratory fish is the ASMFC's Interstate Fishery Management Plans (FMPs) for individual species or groups of fish. The FMPs are designed to promote the long-term health of these species, preserve resources, and protect the interests of both commercial and recreational harvesters. DEC is proposing amendments to 6 NYCRR to remain in compliance with Addendum VI to Amendment 6 of the Atlantic Striped Bass FMP which is required to avoid the federal closure of New York State's striped bass fishery.

The amendments to 6 NYCRR Parts 10 and 40 revise the size limits for the striped bass recreational fishery, in both the marine and coastal district, and in the inland waters, including the Hudson and Delaware Rivers and their tributaries. It will also implement new size limits for the marine commercial fishery.

For the recreational fishery on the Delaware River, including both its West Branch bordering Pennsylvania and East Branch in New York, the proposal is for one fish with a slot size limit between 28 inches and 35 inches Total Length (TL). For the recreational fishery on the Hudson River (north of the George Washington Bridge), the proposal is for one fish with a slot size limit between 18 inches and 28 inches TL. For the recreational fishery in Marine and Coastal Waters, (including Hudson River south of the George Washington Bridge), the proposal is for one fish with a slot size limit between 28 inches and 35 inches TL.

For the commercial fishery, the proposal is for a change in the current slot size limit of 28 inches to 38 inches TL to a proposed slot size limit between 26 inches and 38 inches TL.

This rule making may have an impact on the commercial and recreational fisheries, including private recreational fishers, and party and charter boat operators, but is designed to preserve the long-term viability of these fisheries and associated businesses. It may also have an indirect effect on their supporting industries. These proposals are intended to reduce the fishing mortality of Atlantic striped bass from commercial and recreational fisheries, as required by ASMFC. In 2019, DEC issued 438 striped bass commercial harvesters permits, and 519 party and charter boat licenses, in the marine and coastal district. 345 striped bass commercial harvesters received a full share individual quota allocation of striped bass tags; 93 received a partial share allocation. There were 53 Marine bait licenses sold in 2019. In addition, approximately 200 Hudson River marine permit gear licenses are sold annually; most of these permits are used for taking river herring to be used for striped bass bait.

There were also 420,012 people enrolled in DEC's Recreational Marine Fishing Registry in 2018, the last year for which we have available data. All fishers need to register if they are age 16 and older and are either: (1) fishing for a saltwater fish species in the marine and coastal district while

not aboard a party or charter boat; or (2) fishing for a migratory fish of the sea (diadromous species) within the tidal waters of the Hudson River and its tributaries, or within the waters of the Delaware River. Preliminary 2019 data from the National Marine Fisheries Service reported 4,040,181 recreational angler trips targeting striped bass in New York State.

The regulations do not apply directly to local governments and will not have any direct effects on local governments.

2. Compliance requirements:

The proposed regulations do not impose any new reporting or record keeping requirements on small businesses or local governments.

3. Professional services:

None.

4. Compliance costs:

This rule making will not impose any costs to DEC or local governments. There are no initial capital costs that will be incurred by a regulated business or industry to comply with the proposed rule.

5. Economic and technological feasibility:

The proposed regulations do not require any expenditure on the part of affected businesses in order to comply with the changes. There is no additional technology required for small businesses, and this action does not apply to local governments.

6. Minimizing adverse impact:

The promulgation of this regulation is necessary for New York State to comply with the FMP for Atlantic striped bass. The regulations are intended to protect the striped bass resource and avoid the adverse impacts that would be associated with the federal closure of the fishery due to non-compliance with the FMP. A moratorium on the harvest of striped bass would have a severe adverse impact on the commercial and recreational fisheries, as well as their supporting industries. Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect on employment, as well as wholesale and retail outlets and other support industries. These regulations are being adopted in order to reduce fishing mortality of striped bass and allow for harvest consistent with the capacity of the resource to sustain such effort.

7. Small business and local government participation:

DEC staff met with affected parties of inland waters at a public hearing on September 12, 2019 in New Paltz to inform them of the striped bass stock status and initiate discussions of potential fishing restrictions necessary to protect the stock and to maintain sustainable fishing mortality. DEC has also been advised by the Hudson River Estuary Management Advisory Committee to gain their input on the regulation change. Marine and Coastal District fishers were also informed of the proposed changes at the October 22, 2019, November 19, 2019, and January 21, 2020 Marine Resources Advisory Council meetings and a public hearing in Farmingdale on September 4, 2019. DEC staff has maintained a regular dialogue with fishermen by phone and e-mail regarding the issue. DEC will continue to provide notice to affected fishers through email communications, newspapers and other media outlets.

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

Pursuant to SAPA 202-b(1-a)(b), no such cure period is included in this rule because of the potential adverse impact on the resource. Cure periods for the illegal taking of fish or wildlife are neither desirable nor recommended. Immediate compliance is required to ensure the general welfare of the public and the resource is protected.

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

DEC will conduct an initial review of the proposed rule within three years, as required by SAPA § 207.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

There are no rural areas within, or directly adjacent to, the marine and coastal district. Five counties within the Hudson River watershed (including the Hudson Valley) are considered rural areas of New York State: Columbia, Greene, Putnam, Rensselaer, and Ulster counties. Two Delaware River counties are also in the rural area category: Delaware and Sullivan counties. The proposed regulations will affect individuals who participate in the Atlantic striped bass fishery and may also have an indirect effect on supporting industries.

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

There are no new reporting or record keeping requirements associated with this rule making. Furthermore, the rule making will not require the use of professional services for compliance.

There is no commercial fishing allowed for Atlantic striped bass in rural inland waters of New York State. Party and charter boat businesses that target Atlantic striped bass on the Hudson River are not required to submit fishing reports to DEC. All recreational anglers currently need to enroll in the no-fee DEC Recreational Marine Fishing Registry if they are age 16 and older and are either: 1) fishing for saltwater fish species in the marine

and coastal district and are not fishing on a party or charter boat, or 2) fishing for migratory fish of the sea (diadromous species) within the tidal waters of the Hudson River and its tributaries, or waters of the Delaware River.

3. Costs:

There will be no initial capital or annual costs to comply with the new regulations.

4. Minimizing adverse impact:

The promulgation of this regulation is necessary for DEC to comply with the Atlantic States Marine Fisheries Commission Addendum VI to Amendment 6 of the Atlantic Striped Bass Interstate Fishery Management Plan. The regulations are intended to create a sustainable fishery in New York waters and to avoid the adverse economic and social impacts that would be associated with closure of the fishery. A moratorium on the harvest of striped bass would have a severe adverse impact on the commercial and recreational fisheries, as well as their supporting industries. Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect for the fisheries in question, as well as wholesale and retail outlets and other support industries. These regulations are being proposed in order to reduce fishing mortality of striped bass and allow for harvest consistent with the capacity of the resource to sustain such effort.

5. Rural area participation:

DEC staff met with affected parties of inland waters at a public hearing on September 12, 2019 in New Paltz (Ulster County) to inform them of the striped bass stock status and initiate discussions of potential fishing restrictions necessary to protect the stock and to maintain acceptable fishing mortality. DEC has also been advised by the Hudson River Estuary Management Advisory Committee to gain their input on the regulation change. Marine and Coastal District fishers were also informed of the proposed changes at the October 22, 2019, November 19, 2019, and January 21, 2020 Marine Resources Advisory Council meetings and a public hearing in Farmingdale on September 4, 2019. DEC staff has maintained a regular dialogue with fishermen by phone and e-mail regarding the issue. DEC will continue to provide notice to affected fishers through email communications, newspapers and other media outlets, including those in rural counties and towns.

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

DEC will conduct an initial review of the proposed rule within three years, as required by SAPA section 207.

Job Impact Statement

1. Nature of impact:

The promulgation of this regulation is necessary for DEC to comply with Addendum VI to Amendment 6 of ASMFC's FMP for Atlantic Striped Bass. The proposed amendments to 6 NYCRR Parts 10 and 40 will implement new size limits for the recreational striped bass fishery, in both the marine and coastal district, and for inland waters, including the Hudson and Delaware Rivers and their tributaries. It will also implement new size limits for the commercial marine fishery.

For the recreational fishery on the Delaware River, including both its West Branch bordering Pennsylvania and East Branch in New York, the proposal is for one fish with a slot size limit between 28 inches and 35 inches Total Length (TL). For the recreational fishery on the Hudson River (north of the George Washington Bridge), the proposal is for one fish with a slot size limit between 18 inches and 28 inches TL. For the recreational fishery in Marine and Coastal Waters, (including Hudson River south of the George Washington Bridge), the proposal is for one fish with a slot size limit between 28 inches and 35 inches TL.

For the commercial fishery, the proposal is for a change in the current slot size limit of 28 inches to 38 inches TL to a proposed slot size limit between 26 inches and 38 inches TL.

This rule making may have an impact on the commercial and recreational fisheries, including private recreational fishers, and party and charter boat operators. It may also have an indirect effect on their supporting industries. These proposals may reduce the harvest for commercial and recreational fishers.

2. Categories and numbers affected:

In 2019, DEC issued 438 striped bass commercial harvesters permits, and 519 party and charter boat licenses, in the marine and coastal district. 345 striped bass commercial harvesters received a full share individual quota allocation of striped bass tags; 93 received a partial share allocation. There were 53 Marine bait licenses sold in 2019. In addition, approximately 200 Hudson River marine permit gear licenses are sold annually; most of these permits are used for taking river herring to be used for striped bass bait.

There were 420,012 people enrolled in the DEC Recreational Marine Fishing Registry in 2018, the last year for which we have available data. All fishers need to register if they are age 16 and older and are either: (1) fishing for a saltwater fish species in the marine and coastal district while not aboard a party or charter boat; or (2) fishing for a migratory fish of the

sea within the tidal waters of the Hudson River and its tributaries, or within the waters of the Delaware River. Preliminary 2019 data from the National Marine Fisheries Service reported 4,040,181 recreational angler trips targeting striped bass in New York State.

3. Regions of adverse impact:

The proposed rule will affect striped bass fishers in both Marine and Coastal District and inland waters, including the Hudson and Delaware Rivers and their tributaries.

4. Minimizing adverse impact:

The promulgation of this regulation is necessary for DEC to comply with Addendum VI to Amendment 6 of ASMFC's FMP for Atlantic Striped Bass. The regulations are intended to protect the striped bass resource and avoid the adverse impacts that would be associated with closure of the fishery due to non-compliance with the FMP. A moratorium on the harvest of striped bass would have a severe adverse impact on the commercial and recreational fisheries, as well as their supporting industries. Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect on employment, as well as wholesale and retail outlets and other support industries. These regulations are being adopted in order to reduce fishing mortality of striped bass and to allow for harvest consistent with the capacity of the resource to sustain such effort.

5. Self-employment opportunities:

Most commercial fishers are self-employed. A few individuals may work with or for local bait supply shops or marinas. The party and charter boat businesses, the bait and tackle shops, and the marinas are mostly small businesses that are self-owned and operated. Some members of the recreational fishing industry are also self-employed.

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

DEC will conduct an initial review of the rule within three years, as required by SAPA section 207.

Department of Financial Services

EMERGENCY RULE MAKING

Practices of Insurers and Premium Finance Agencies During the COVID-19 Pandemic

I.D. No. DFS-15-20-00009-E

Filing No. 258

Filing Date: 2020-03-30

Effective Date: 2020-03-30

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

Action taken: Amendment of Part 405 of Title 3 NYCRR, Parts 185 (Regulation 27-A), 187 (Regulation 27-C) and addition of Part 229 (Regulation 216) to Title 11 NYCRR.

Statutory authority: Executive Law, section 29-a; Executive Order No. 202.13, dated March 29, 2020, promulgated thereunder; Financial Services Law, sections 202, 302; Insurance Law, sections 301, 1116, 3203, 3219, 3220, 4216, 4235, 4510, arts. 21, 34, 53, 54, 55; Banking Law, sections 561, 576; Workers' Compensation Law, sections 54 and 226

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

Specific reasons underlying the finding of necessity: On March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202 declaring a disaster emergency in the State of New York in response to the novel coronavirus ("COVID-19") pandemic. Emergency measures are continuing to be put into place to effectuate the most timely and effective response to this unprecedented crisis. For this purpose, Governor Cuomo issued on March 29, 2020 Executive Order Number 202.13 ("EO 202.13"), directing the Superintendent of Financial Services ("Superintendent") to promulgate regulations in accordance therewith.

This emergency measure implements EO 202.13 by providing certain relief to policyholders, contract holders, and insureds (collectively, "insureds") who can demonstrate financial hardship as a result of the COVID-19 pandemic, including: (1) amending 11 NYCRR section 185.7(m)(4) and 11 NYCRR section 187.6(f)(4) to provide that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage; (2)

adding a new Part 229 to 11 NYCRR to provide certain protections to insureds who do not make a timely premium payment to a life insurer, property/casualty insurer, or fraternal benefit society, such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees; and (3) adding a new Section 405.6 to 3 NYCRR to, among other things, prohibit any premium finance agency from cancelling an insurance policy due to an insured's failure to make a timely installment payment, for a period of at least 60 days, including any contractual grace period, for a property/casualty insurance policy or for a period of at least 90 days, including any contractual grace period, for a life insurance policy, if the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the premium finance agency.

To help ease the extensive economic burden brought about by the COVID-19 pandemic, and in compliance with EO 202.13, it is imperative that the Superintendent promulgate this emergency measure for the public's general welfare.

Subject: Practices of insurers and premium finance agencies during the COVID-19 pandemic.

Purpose: To assist certain life and property/casualty insureds facing financial hardships due to COVID-19.

Substance of emergency/proposed rule (Full text is posted at the following State website: https://www.dfs.ny.gov/industry_guidance/regulations): Governor Andrew M. Cuomo issued Executive Order Number 202.13 ("EO 202.13") on March 29, 2020 to assist New Yorkers with overcoming the extensive and continuing financial challenges arising from the COVID-19 pandemic, and it directs the Superintendent of Financial Services ("Superintendent") to promulgate regulations in accordance therewith. This consolidated emergency measure amending 3 NYCRR 405, 11 NYCRR 185, and 11 NYCRR 187 and adding a new Part 229 to 11 NYCRR implements EO 202.13 by providing certain relief to policyholders, contract holders, and insureds (collectively, "insureds") who can demonstrate financial hardship as a result of the COVID-19 pandemic.

Sections 185.7(m)(4) and 187.6(f) of Title 11 are amended to provide that premium remitted by a creditor will be assumed to provide coverage under a credit life, credit accident and health, or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage.

A new Part 229 is added to Title 11 to provide certain protections to insureds who do not make a timely premium payment to a life insurer, property/casualty insurer, or fraternal benefit society (collectively, "insurer") and who demonstrate financial hardship as a result of the COVID-19 pandemic, such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees.

Section 229.1 sets forth the preamble.

Section 229.2 sets forth definitions applicable to the new Part.

Section 229.3 provides for the extension of a grace period for group life insurance policies and certificates.

Section 229.4 prohibits insurers subject to the Part from imposing late fees or reporting an insured to a credit reporting or debt collection agency.

Section 229.5 provides that an insurer subject to the Part must permit an insured to make a late payment over the course of 12 months and requires an insurer to provide certain information to insureds, insurance producers, and third-party administrators. This section also requires a licensed insurance producer to mail or deliver notice to an insured of this Part and 3 NYCRR section 405.6. It further requires an insurer to accept a written attestation from an insured as proof of financial hardship as a result of the COVID-19 pandemic and makes clear that nothing prohibits an insured from voluntarily canceling an insurance policy or annuity contract.

Section 229.6 provides that in the case of a property/casualty insurance policy where the insured does not make the first installment payment to a premium finance agency ("PFA") after the conclusion of the 60-day period described in 3 NYCRR section 405.6(a)(1) and the PFA cancels the policy based on such nonpayment at any time prior to the next succeeding installment payment, the property/casualty insurer must return to the PFA for the benefit of the insured, in accordance with the terms of the policy but no later than 60 days after the effective date of such cancellation, the gross unearned premiums that are due under the policy on a pro rata basis, calculated as if the policy had been cancelled 60 days prior to the effective date of such cancellation.

Part 405 of 3 NYCRR is amended by adding a new Section 405.6 that

prohibits a PFA from canceling a life insurance policy for at least 90 days or a property/casualty insurance policy for at least 60 days due to an insured's failure to make a timely installment payment, when the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the PFA. The section also prohibits a PFA from charging such an insured a late fee related to the installment payment and prohibits the PFA from reporting the insured to a credit reporting agency or debt collection agency.

The section further allows an insured to pay outstanding installment payments over a one-year period, subject to the safety and soundness of the PFA, and requires a PFA to provide certain information to insureds, insurance producers, and third-party administrators.

In addition, the section provides that in the case of a property/casualty insurance policy where the insured does not make the first installment payment to the PFA after the conclusion of the 60-day period, and the PFA cancels the policy based on such nonpayment at any time prior to the next succeeding installment payment, the property/casualty insurer must return to the PFA for the benefit of the insured, in accordance with the terms of the insurance policy but no later than 60 days after the effective date of such cancellation, the gross unearned premiums that are due under the policy on a pro rata basis, calculated as if the policy had been cancelled 60 days prior to the effective date of such cancellation.

The section provides that solely for the purposes of this section, a PFA must accept a written attestation from an insured as proof of financial hardship as a result of the COVID-19 pandemic, and makes clear that nothing prohibits an insured from exercising any right the insured has to voluntarily cancel an insurance policy.

The section also sets forth definitions for the purpose of the section.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires June 27, 2020.

Text of rule and any required statements and analyses may be obtained from: Joana Lucashuk, Principal Attorney, New York State Department of Financial Services, One State Street, New York, NY 10004-1417, (212) 480-2125, email:insurance.covid19@dfs.ny.gov.

Regulatory Impact Statement

1. Statutory authority: Executive Law Section 29-a; Executive Order No. 202.13, dated March 29, 2020, promulgated thereunder; Financial Services Law Sections 202 and 302; Insurance Law Sections 301, 1116, 3203, 3219, 3220, 4216, 4235, and 4510 and Articles 21, 34, 53, 54, and 55; Banking Law Sections 561 and 576; and Workers' Compensation Law Sections 54 and 226.

Executive Law Section 29-a grants the Governor of New York the authority to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster.

Executive Order 202.13 issued on March 29, 2020 directs the Superintendent to issue emergency regulations in conformance with the Executive Order, among other things.

Financial Services Law Section 202 establishes the office of the Superintendent of Financial Services ("Superintendent").

Financial Services Law Section 302 and Insurance Law section 301, in pertinent part, authorize the Superintendent to prescribe regulations interpreting the Insurance Law and to effectuate any power granted to the Superintendent in the Insurance Law, Financial Services Law, or any other law.

Insurance Law Section 1116 sets forth the parameters for the issuance of prepaid legal services plans and legal services insurance, include requirements for cancellation and non-renewal.

Insurance Law Section 3203 sets forth the standard provisions for individual life insurance policies, including grace periods for the payment of insurance premiums.

Insurance Law Section 3219 sets forth the standard provisions for the contractual rights and responsibilities of contract holders, certificate holders and insurers of annuity and pure endowment contracts and certain group annuity certificates.

Insurance Law Section 3220 sets forth the standard provisions for group life insurance policies, including time frames for exercising rights and benefits under the policies.

Insurance Law Section 4216 sets forth the parameters for the issuance of group life insurance.

Insurance Law Section 4235 defines and sets forth the parameters for the issuance of group accident, group health, and group accident and health insurance.

Insurance Law Section 4510 sets forth the parameters for the issuance of life insurance certificates by a fraternal benefit society, including grace periods for the payment of premiums.

Insurance Law Article 21, among other things, sets forth provisions regarding the duties of insurance producers, including excess line brokers.

Insurance Law Article 34 sets forth provisions regarding the issuance of property/casualty insurance contracts and the cancellation and nonrenewal of such contracts. Insurance Law Section 3425 sets forth requirements for the cancellation and non-renewal of personal lines insurance policies. Section 3425(p) grants the Superintendent the authority to declare a moratorium precluding policy termination or suspend or otherwise adjust the provisions and limitations of Section 3425. Insurance Law Section 3426 sets forth requirements for the cancellation and non-renewal of commercial lines insurance, and other sections in Article 34 set forth cancellation and nonrenewal requirements for certain group property/casualty insurance policies.

Insurance Law Article 53 sets forth provisions regarding the issuance of motor vehicle insurance through motor vehicle insurance assigned risk plans.

Insurance Law Article 54 sets forth provisions regarding the issuance of fire, extended coverage, and homeowners' insurance through the New York Property Insurance Underwriting Association.

Insurance Law Article 55 sets forth provisions regarding the issuance of medical malpractice liability insurance through the Medical Malpractice Insurance Association.

Banking Law Section 561, in relevant part, authorizes the Superintendent to promulgate regulations necessary for the proper conduct of premium finance agencies ("PFA").

Banking Law Section 576 sets forth provisions for the cancellation of an insurance contract by a PFA.

Workers' Compensation Law Section 54 sets forth provisions regarding an employer's liability insurance, including requirements regarding cancellation and non-renewal.

Workers' Compensation Law Section 226 sets forth provisions regarding the issuance of policies providing disability benefits and family paid leave benefits, including requirements regarding cancellation and non-renewal.

2. Legislative objectives: The Legislature granted the Governor broad powers to take necessary action in cases of emergency that threaten the health, safety, and general welfare of New Yorkers. Specifically, Executive Law Section 29-a authorizes the Governor to temporarily suspend or modify statutes, rules and regulations, or parts thereof, during a State disaster emergency. Governor Andrew M. Cuomo did so when issuing Executive Order 202.13 on March 29, 2020. In addition, Insurance Law Sections 1116, 3203, 3219, 3220, and 4510 and Articles 34 and 55, Banking Law Section 576, and Workers' Compensation Law Sections 54 and 226 set forth requirements regarding cancellation and non-renewal of insurance policies and annuity contracts, including cancellation for non-payment of premium or a default on an installment payment to a PFA.

This emergency consolidated rulemaking implements the Governor's Executive Order and accords with the public policy objectives the Legislature sought to advance in the foregoing Insurance Law, Banking Law, and Workers' Compensation Law sections and articles by providing certain relief to policyholders, contract holders, and insureds (collectively, "insureds") who can demonstrate financial hardship as a result of the novel coronavirus ("COVID-19") pandemic, such as: (1) amending 11 NYCRR section 185.7(m)(4) and 11 NYCRR section 187.6(f)(4) to provide that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage; (2) adding a new Part 229 to 11 NYCRR to provide certain protections to insureds who do not make a timely premium payment to a life insurer, property/casualty insurer, or fraternal benefit society (collectively, "insurer"), such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees; and (3) adding a new Section 405.6 to 3 NYCRR to, among other things, prohibit any premium finance agency from canceling an insurance policy due to an insured's failure to make a timely installment payment, for a period of at least 60 days, including any contractual grace period, for a property/casualty insurance policy or for a period of at least 90 days, including any contractual grace period, for a life insurance policy, if the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the premium finance agency.

3. Needs and benefits: The Governor of New York has declared a state of emergency to help New York more quickly and effectively contain the spread of COVID-19. An increasing number of individuals and businesses are experiencing sizeable disruption to their everyday lives and operations. The economic impact to individuals and businesses around the globe is considerable. As businesses across New York decrease their workforces or

close, individuals and businesses may struggle to continue to pay insurance premiums on time for their insurance policies or annuity contracts.

As a result, the Governor issued Executive Order 202.13 on March 29, 2020 to extend life insurance and annuity contract premium grace periods and time frames to exercise rights and benefits under life insurance policies, and to prohibit the cancellation, non-renewal, or conditional renewal of certain property/casualty insurance policies. The Executive Order also directs the Superintendent to promulgate emergency regulations. The rulemaking effectuates the Executive Order by putting certain protections in place for insureds who are not able to make timely insurance premium payments and can demonstrate financial hardship as a result of the COVID-19 pandemic.

4. **Costs:** The amendments to 11 NYCRR will impose costs on insurers subject to the rulemaking, because it will prohibit them from imposing late fees and will require them to allow an insured to pay outstanding insurance premiums over a period of one year, with regard to an insured who does not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic. It also requires that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage, with regard to insured debtors who do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic. The rulemaking also requires an insurer to provide certain notifications to insureds who do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic and to insurance producers and to third-party administrators with whom or which they do business. The rulemaking also will impose costs on licensed insurance producers because it requires an insurance producer to mail or deliver notice to an insured regarding the provisions of new Section 405.6 to Title 3 and new Part 229 to Title 11.

The rulemaking adds a new Section 405.6 to Title 3, which will impose costs on a PFA because the section, provided the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the PFA: (1) prohibits a PFA from canceling property/casualty and life insurance policies, due to an insured's failure to make a timely installment payment, for a certain period of time; (2) requires a PFA to allow an insured to pay outstanding installment payments over a one-year period; and (3) prohibits a PFA from charging late fees. Section 405.6 also requires a PFA to provide certain notifications to the insureds and insurance producers who service the in-force life insurance policies or who procured the property/casualty insurance policies at issue.

However, any cost is an unavoidable consequence of the overwhelming need to assist individuals and businesses during the COVID-19 pandemic.

The rulemaking will not impose any costs on the Department of Financial Services or any state or local government.

5. **Local government mandates:** The rulemaking does not impose any program, service, duty or responsibility on any county, city, town, village, school district, fire district or other special district.

6. **Paperwork:** No state or local government should incur additional paperwork to comply with this amendment. Insurers subject to the amendments to 11 NYCRR must provide notice to insureds, with the insurance premium bill, of the provisions of new Part 229 and a toll-free number that the insured may call to discuss billing and make alternative payment arrangements. Also, insurers must notify insurance producers and any third-party administrators with whom or which the insurer does business of the provisions of new Part 229. Licensed insurance producers must mail or deliver notification to a policyholder of the provisions of new Section 405.6 of Title 3 and new Part 229 of Title 11.

New 3 NYCRR 405.6 requires a PFA to mail or deliver to each eligible insured a copy of the information contained in Section 405.6(a)(1); provide notice to insureds, with the installment payment bill, of the provisions of Section 405.6 and a toll-free number that the insured may call to discuss billing and make alternative payment arrangements; and notify insurance producers and any third-party administrators with whom or which the premium finance agency does business of the provisions of Section 405.6.

A licensed insurance producer who services an in-force life insurance policy or who procured the property/casualty insurance policy for the insured must mail or deliver notice to the insured of Section 405.6 of Title 3 and Part 229 of Title 11.

7. **Duplication:** This rulemaking does not duplicate or conflict with any existing state or federal rules or other legal requirements.

8. **Alternatives:** There were no significant alternatives to consider.

9. **Federal standards:** The rulemaking does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. **Compliance schedule:** The rule will take effect immediately upon filing of the Notice of Emergency Adoption with the Secretary of State.

Regulatory Flexibility Analysis

1. **Effect of the rule:** This rulemaking affects life insurers, property/casualty insurers, and fraternal benefit societies (collectively, "insurers"),

licensed insurance producers, and premium finance agencies ("PFAs") who or that may be small businesses. The rulemaking implements Executive Order 202.13 issued by Governor Andrew M. Cuomo, dated March 29, 2020, by providing certain relief to policyholders, contract holders, and insureds (collectively, "insureds") who can demonstrate financial hardship as a result of the novel coronavirus ("COVID-19") pandemic, such as: (1) amending 11 NYCRR section 185.7(m)(4) and 11 NYCRR section 187.6(f)(4) to provide that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage; (2) adding a new Part 229 to 11 NYCRR to provide certain protections to insureds who do not make a timely premium payment to an insurer, such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees; and (3) adding a new Section 405.6 to 3 NYCRR to, among other things, prohibit any PFA from canceling an insurance policy due to failure to make an installment payment or a period, including any contractual grace period, of at least 60 days for a property/casualty insurance policy or at least 90 days for a life insurance policy, if the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the PFA.

This amendment does not affect local governments.

2. **Compliance requirements:** This rulemaking adds a new Part 229 to 11 NYCRR to provide certain protections to insureds who do not make a timely premium payment to insurers and can demonstrate financial hardship as a result of the COVID-19 pandemic, such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees.

Insurers subject to the rulemaking, including those that may be small businesses, must provide notice to insureds, with the insurance premium bill, of the provisions of new Part 229 and a toll-free number that the insured may call to discuss billing and make alternative payment arrangements. Also, insurers must notify insurance producers and any third-party administrators with whom or which the insurer does business of the provisions of new Part 229. Licensed insurance producers, who or which may be small businesses, must mail or deliver notice to a policyholder regarding the provisions of new Section 405.6 of 3 NYCRR and new Part 229 of 11 NYCRR.

This rulemaking adds a new Section 405.6 to 3 NYCRR to prohibit any PFA from canceling an insurance policy due to an installment payment default for a period, including any contractual grace period, of at least 60 days for a property/casualty insurance policy or at least 90 days for a life insurance policy, if the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the PFA.

PFAs, including those that may be small businesses, are required by Section 405.6 to mail or deliver to each eligible insured a copy of the information contained in Section 405.6(a)(1); provide notice to insureds, with the installment payment bill, of the provisions of Section 405.6, including a toll-free number that the insured may call to discuss billing and make alternative payment arrangements; and notify insurance producers and any third-party administrators with whom or which the PFA does business of the provisions of Section 405.6.

No local government is subject to any compliance requirements because the rulemaking does not apply to any local government.

3. **Professional services:** No insurer, licensed insurance producer, or PFA who or that may be a small business subject to this rulemaking will need professional services to comply with this amendment. The rulemaking does not apply to any local government.

4. **Compliance costs:** This emergency measure will impose costs on insurers, licensed insurance producers, and PFAs subject to the rulemaking, including those that may be small businesses. The amendments to 11 NYCRR will prohibit insurers from imposing late fees and will require them to allow an insured to pay outstanding insurance premiums over a period of one year, with regard to an insured who does not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic. It also requires that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage, with regard to insured debtors who do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic.

The rulemaking also requires an insurer to provide certain notifications

to insureds who do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic and to insurance producers and to third-party administrators with whom or which they do business. The rulemaking also will impose costs on licensed insurance producers because it requires an insurance producer to mail or deliver notice to an insured regarding the provisions of new Section 405.6 to Title 3 and new Part 229 to Title 11.

The rulemaking adds a new Section 405.6 to Title 3, which will impose costs on a PFA because the section, provided an insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the PFA: (1) prohibits a PFA from cancelling property/casualty and life insurance policies due to failure to make an installment payment for a certain period of time; (2) requires a PFA to allow an insured to pay outstanding installment payments over a one-year period; and (3) prohibits a PFA from charging late fees. Section 405.6 also requires a PFA to provide certain notifications to the insureds and insurance producers who service the in-force life insurance policies or who procured the property/casualty insurance policies at issue.

However, any cost is an unavoidable consequence of the overwhelming need to assist individuals and businesses during the COVID-19 pandemic.

No local government will incur any costs to comply with this rulemaking because the rulemaking does not apply to any local government.

5. Economic and technological feasibility: No insurer, licensed insurance producer, or PFA subject to this rulemaking should experience any economic or technological impact as a result of the amendment. This rulemaking does not apply to any local government.

6. Minimizing adverse impact: This amendment should not have an adverse impact on an insurer, licensed insurance producer, or PFA who or that is a small business subject to the amendment because the amendment uniformly affects all insurers, licensed insurance producers, and PFAs equally. There will not be an adverse impact on any local government because the amendment does not apply to any local government.

7. Small business and local government participation: Insurers, licensed insurance producers, and PFAs who or that are small businesses will have an opportunity to participate in the rulemaking process when the rulemaking is published in the State Register and posted on the website of the Department of Financial Services.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Property/casualty insurers, life insurers, and fraternal benefit societies (collectively, "insurers"), licensed insurance producers, and premium finance agencies ("PFAs") affected by this rulemaking operate in every county in this State, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: This rulemaking adds a new Part 229 to 11 NYCRR to provide certain protections to policyholders, contract holders, and insureds (collectively, "insureds") who do not make a timely premium payment to an insurer and can demonstrate financial hardship as a result of the novel coronavirus ("COVID-19") pandemic, such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees.

Insurers subject to the rulemaking, including those in rural areas, must provide notice to insureds, with the insurance premium bill, of the provisions of new Part 229 and a toll-free number that the insured may call to discuss billing and make alternative payment arrangements. Also, insurers must notify insurance producers and any third-party administrators with whom or which the insurer does business of the provisions of new Part 229. Licensed insurance producers must mail or deliver notification to an insured regarding the provisions of new Section 405.6 of 3 NYCRR and Part 229 of 11 NYCRR.

This rulemaking adds a new section 405.6 to 3 NYCRR to require a PFA to mail or deliver to each eligible insured a copy of the information contained in Section 405.6(a)(1); provide notice to insureds, with the installment payment bill, of the provisions of Section 405.6 with a toll-free number that the insured may call to discuss billing and make alternative payment arrangements; and notify insurance producers and any third-party administrators with whom or which the PFA does business of the provisions of Section 405.6.

No insurer, licensed insurance producer, or PFA subject to the rulemaking, including those in a rural area, should need to retain professional services, such as lawyers or auditors, to comply with this rulemaking.

3. Costs: This emergency measure will impose costs on insurers, licensed insurance producers, and PFAs that are subject to the rulemaking, including those in rural areas. The amendments to 11 NYCRR will impose costs on insurers subject to the rulemaking, because it will prohibit them from imposing late fees and will require them to allow an insured to pay outstanding insurance premiums over a period of one year, with regard to

an insured who does not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic. It also requires that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage, with regard to insured debtors who do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic. The rulemaking also requires an insurer to provide certain notifications to insureds who do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic and to insurance producers and to third-party administrators with whom or which they do business. The rulemaking also will impose costs on licensed insurance producers because it requires an insurance producer to mail or deliver notice to an insured regarding the provisions of new Section 405.6 to 3 NYCRR and new Part 229 to 11 NYCRR.

The rulemaking adds a new Section 405.6 to 3 NYCRR, which will impose costs on a PFA because the section, provided an insured can demonstrate financial hardship as a result of the COVID-19 pandemic and subject to the safety and soundness of the PFA: (1) prohibits a PFA from cancelling property/casualty and life insurance policies due to failure to make an installment payment for a certain period of time; (2) requires a PFA to allow an insured to pay outstanding installment payments over a one-year period; and (3) prohibits a PFA from charging late fees. Section 405.6 also requires a PFA to provide certain notifications to the insureds and insurance producers who service the in-force life insurance policies or who procured the property/casualty insurance policies at issue.

However, any cost is an unavoidable consequence of the overwhelming need to assist individuals and businesses during the COVID-19 pandemic.

4. Minimizing adverse impact: This rulemaking uniformly affects insurers, licensed insurance producers, and PFAs that are located in both rural and non-rural areas of New York State. The rulemaking should not have an adverse impact on rural areas.

5. Rural area participation: Insurers, licensed insurance producers, and PFAs in rural areas will have an opportunity to participate in the rulemaking process when the emergency consolidated rulemaking is published in the State Register and posted on the website of the Department of Financial Services.

Job Impact Statement

This emergency measure should not adversely affect jobs or employment opportunities in New York State.

The rulemaking complies with Executive Order 202.13, signed by Governor Andrew M. Cuomo on March 29, 2020, by providing certain relief to policyholders, contract holders, and insureds (collectively, "insureds") who can demonstrate financial hardship as a result of the novel coronavirus ("COVID-19") pandemic, such as: (1) amending 11 NYCRR section 185.7(m)(4) and 11 NYCRR section 187.6(f)(4) to provide that premium remitted by a creditor will be assumed to provide coverage under a credit life or credit unemployment insurance policy for those insured debtors whose payments are not more than three months overdue, regardless of whether the debtor has paid a charge for such three months' coverage; (2) adding a new Part 229 to 11 NYCRR to provide certain protections to insureds who do not make a timely premium payment to a life insurer, property/casualty insurer, or fraternal benefit society, such as an extension of a grace period for the payment of premium and fees set forth in a group life insurance policy or certificate, protection from late payment fees, a prohibition against referral to a credit reporting agency or debt collection agency, and an extension of one year to pay overdue premiums or fees; and (3) adding a new Section 405.6 to 3 NYCRR to, among other things, prohibit any premium finance agency from canceling an insurance policy due to an insured's failure to make a timely installment payment, for a period of at least 60 days, including any contractual grace period, for a property/casualty insurance policy or for a period of at least 90 days, including any contractual grace period, for a life insurance policy, if the insured can demonstrate financial hardship as a result of the COVID-19 pandemic, and subject to the safety and soundness of the premium finance agency.

Therefore, the amendment should not cause any adverse impact on jobs or employment opportunities, and should provide significant relief to individuals and businesses during this extraordinary health crisis.

Department of Law

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Investment Advisers Defined Under General Business Law, section 359-eee

I.D. No. LAW-15-20-00017-P

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

Proposed Action: Amendment of Part 11 of Title 13 NYCRR.

Statutory authority: General Business Law, section 359-eee(2), (3), (4), (5), (6), (9), (10)

Subject: Investment advisers defined under General Business Law, section 359-eee.

Purpose: Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.

Substance of proposed rule (Full text is posted at the following State website: <https://ag.ny.gov/sites/default/files/full-text-13nycrr11.pdf>): The public is imperiled when investment professionals are allowed to peddle investment schemes in the shadows and the Attorney General seeks to illuminate such persons and transactions. At the same time, the Attorney General understands that business interests may be impeded when state registration procedures become confusing and antiquated. The proposed revisions represent a balancing of these interests in light of the well-established federal securities registration regime.

The Investor Protection Bureau of the Department of Law ("Department") proposes revisions to its current regulations in order to modernize its registration function, to better conform to the federal securities registration regime, to cure industry confusion as to certain registration requirements and to better track exam requirement compliance of thousands of investment adviser representatives providing investment advice to New Yorkers. The Attorney General believes that these revisions will help protect the public from fraudulent exploitation in the offering and sale of securities and the provision of investment advice.

The proposed revisions to 13 NYCRR 10¹ amend regulations to require certain notice filings for federal "covered securities" being sold in New York and allow for such filings along federally set timelines, and effectuate such filing through the North American Association of Securities Administrators' ("NASAA") electronic filing depository system ("EFD"). New York law has always required securities dealers, among others, to file information deemed pertinent by the Attorney General with the Investor Protection Bureau. The current version of the regulations were designed to adhere to past technology capabilities. Because of the passage of time and the evolution of national registration processes and technology, and due to some confusion within the industry, these Regulations require updating.

In the revised Part 10, the Attorney General classifies securities and dealers for the purpose of directing filing of forms to New York through EFD and to further harmonize New York and federal registration laws. Most critically, the policies and practices of the Department have not kept pace with all of the developments in state and federal securities regulation since the enactment of the National Securities Markets Improvement Act in 1996. In particular, the Department recognizes that clarity is required regarding classification of certain securities and investment professionals and the filings required thereof. Accordingly, through these revisions the Attorney General classifies Federal Covered Investment Company Securities, Federal Regulation D Covered Securities and Federal Tier 2 Securities and the dealers thereof. Under the revised regulations, the Department will require that such dealers file Form NF, Form D and the uniform notice filing for Tier 2 securities with the Department of Law. The filings will provide New York direct notice of persons offering securities from its soil and to its residents and will complement federal registration law in line with its explicit carve outs for state notice filings.

The proposed revisions to 13 NYCRR 11² will fully implement GBL § 359-eee by registering investment adviser representatives through the Central Registration Depository/Investment Advisor Registration Depository (collectively "CRD/IARD"). The authority to register such individuals has always been available under the law. When the CRD/IARD system was first implemented, technological and practical limitations made such registration untenable. Now that improvements have made electronic filing feasible, however, New York is the only state in the Union that does not register these important investment professionals. Such registration will close gaps in nationwide regulation efforts which in certain cases, fail

to connect investment adviser representatives with their past record in the securities industry. The complete record of these individual's records is necessary to protect the public and is maintained in every other state. The Attorney General, by these revisions, now provides notice that investment adviser representatives – including principals and supervisors, as well as solicitors, will upon adoption and implementation of these regulations be explicitly required to meet exam requirements and register with the State.

The proposed revisions to 13 NYCRR 11 also delineate the Department's authority to deny, suspend, condition, or revoke any registration statement or application of any investment adviser or investment adviser representative in the public interest for good cause. The Department has always held the implicit authority to deny investment adviser applications in the public interest. The new provision codifies this authority and details the specific categories of actions that the Department may take. It is anticipated that guidance will be promulgated to further detail this authority. These revisions also include changes to investment adviser bookkeeping requirements.

The proposed revisions to 13 NYCRR 11 also include a new bookkeeping requirement for investment advisers. The revision requires that State-registered investment advisers take reasonable steps to verify the "accredited investor" and "qualified client" status of any client so designated, including making and maintaining documents used in the course of verification. Such revisions codify the requirement that investment advisers take due care in making such designations, which, if used to recommend investment in certain securities, can expose New Yorkers to increased investment risk.

The proposed revisions to both 13 NYCRR 10 and 13 NYCRR 11, seek to clarify the registration and exam requirements for certain currently-undefined subclassifications of broker-dealers and investment advisers that are paid to match up investors with securities industry participants. The proposals define and classify "Finders" and "Solicitors" and explicitly require registration and exam requirements for both.

Finally, the revisions to 13 NYCRR 10 and 13 NYCRR 11 update numerous outdated terms, past fee requirements and correct other de minimis errata.

These changes provide a number of immediate benefits to the State and its citizens, including: (i) giving the Department more ready access to information about securities issuers in the State; (ii) giving the public, for the first time, detailed information about many investment adviser representatives in the State; (iii) modernizing the State's registration processes; (iv) increasing harmonization with federal registration laws; (v) reducing industry confusion; and (vi) giving effect to the spirit and an ultimate aim of Article 23-A's registration laws by facilitating central and simultaneous registration of investment professionals.

¹ Official Compilation of Codes, Rules and Regulations of the State of New York ("NYCRR"), Title 13, Chapter II Part 10 (13 NYCRR § 10).

² NYCRR, Title 13, Chapter II Part 11 (13 NYCRR § 11).

Text of proposed rule and any required statements and analyses may be obtained from: Kenneth Haim, Office of the Attorney General - Investor Protection Bureau, 28 Liberty St., 21st Floor, New York, New York 10005, (212) 416-8206, email:kenneth.haim@ag.ny.gov.

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

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

Regulatory Impact Statement

1. Statutory Authority: General Business Law ("GBL") § 359-eee of the General Business Law requires investment advisers to register with the Attorney General. GBL § 359-eee grants the Attorney General authority to promulgate rules and regulations governing the registration of investment advisers. See, e.g., GBL § 359-eee (2), (3), (4), (5), (6), (9), (10).

The law provides broad discretion to the Attorney General to gather information about investment advisers, including different classes and representatives thereof, doing business within or from New York State. Here, the Attorney General is exercising her authority under GBL § 359-eee (3), (6) to implement and codify the requirement that certain natural persons representing investment advisers, including principals, supervisors and representatives thereof and certain classes of investment adviser, i.e. solicitors, provide registration statements through the Central Registration Depository ("CRD") and Investment Adviser Registration Depository ("IARD") and condition registration on uniform exam requirements. The Attorney General is exercising her authority under GBL § 359-eee (6) to codify her ability to deny, revoke, suspend or condition registration statements and applications, in the public interest for good cause. In addition, the Attorney General is exercising her authority under GBL § 359-eee (9), to require investment advisers to make and maintain certain books and records.

2. Legislative Objectives: A primary objective of the statutory authority

is to protect the public from fraudulent exploitation in the provision of investment advice and to ensure that those who sell investment services are competent and accountable. The objectives of the rule are to: (a) ensure that investors have access to information regarding investment adviser principals, supervisors and representatives thereof, and solicitors to reduce the possibility of fraud and to empower investors to make sound decisions when choosing an investment adviser; (b) ensure that investors are protected against unscrupulous investment advisers; (c) ensure investment adviser representatives, principals, supervisors and solicitors have complied with exam requirements; (d) update current rules; and (e) modify rules regarding maintenance of books and records.

3. Needs and Benefits: Clients and prospective clients of investment advisers need to have ready access to certain information about an investment adviser's business to better enable them to make sound investment decisions and to reduce the risk that they will be victimized by fraud. Similarly, minimum exam requirements are necessary to ensure that investment adviser representatives and solicitors are qualified to provide sound investment advice. The purpose of the proposed rule is to further these objectives by increasing the amount of information about investment adviser representatives, principals, supervisors and solicitors readily available to the public and the Attorney General, by requiring compliance with exam requirement for a substantial number of investment adviser representatives, and by updating current rules to explicitly require that investment advisers make and maintain information regarding the "accredited investor" and "qualified client" status of their clients, if applicable. Specifically, the rule:

a. Requires that natural persons qualifying as a principal of an investment adviser, its investment adviser representatives and supervisors, as well as solicitors, register with the Department of Law through the CRD/IARD and clarifies and authorizes actions available to the Attorney General regarding such registrations;

b. Requires that principals of an investment adviser, its investment adviser representatives and supervisors, as well as solicitors, comply with exam requirements; and

c. Requires that investment advisers make and maintain information regarding the "accredited investor" and "qualified client" status of their clients, if applicable.

4. Costs:

(a) Costs to regulated parties. Under the proposed regulatory revisions, certain natural persons who satisfy the definition of investment adviser under GBL § 359-eee, including certain natural persons working for federally covered investment advisers will be required to register as investment adviser representatives and pay the annual registration fee of \$200. This fee amount is set forth in GBL § 359-eee (7) and is unaffected by the regulation revisions herein. In addition, filers will be required to pay usual and customary electronic filing fees associated with IARD and CRD. Based on a review of SEC data on investment adviser representatives registered in other states and a connection to New York, there could be approximately 14,000 investment adviser representatives that would be required to register and pay annual fees under this rule. Such estimate could be materially reduced as certain of the investment adviser representatives may be employees of federally covered investment advisers without a place of business in New York and would be therefore excluded from the rule.

(b) Costs to the agency, the state and local governments. The Attorney General believes that it will incur incremental administrative costs related to processing additional forms and amendments with regard to the registration of investment adviser representatives. However, the Attorney General also believes that the simultaneously proposed revisions to 13 NYCRR Part 10, which effectively eliminate many paper Form 99 filings, will offset overall costs. The Attorney General foresees no additional costs to any other state or local government agencies.

(c) Information and methodology upon which the estimate is based. The estimated costs to regulated parties, the agency and state and local governments is based on the assessment of the Attorney General, in reliance upon data and information available to her maintained by the Department of Law's Investor Protection Bureau.

5. Local Government Mandates: The proposed regulatory revisions do not impose any programs, services, duties or responsibilities on any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: The proposed rule revisions require electronic filing of nationally standardized forms. Besides the forms explicitly designated in the regulation revisions, which is sought electronically, no additional reporting or paperwork requirements would be required as a result of the proposed regulatory revisions.

7. Duplication: Federal law requires investment advisers doing business in New York with over \$25 million of assets under management to register with the SEC and allows for noticing file in New York of such firms. New York law requires New York investment advisers with less than \$25 mil-

lion of assets under management to register with the Department of Law. None of the provisions of the proposed rules conflict with federal law.

8. Alternatives: The Attorney General has considered alternatives to its proposed regulatory revisions. In particular, the Attorney General has for the past many years required that representatives of state registered investment advisers comply with exam requirements and provide information. The Attorney General has determined that such exam requirements and provision of information should apply to investment adviser representatives to the extent permitted under federal law, that provision of information should be standardized and that the State should receive the statutory registration fee. The Attorney General has concluded that the proposed revisions are necessary because they are the most effective means available to regulate parties selling investment advice and advance the public's knowledge about such personnel.

9. Federal Standards: The proposed regulatory revisions do not exceed any minimum standards of the federal government for the same or similar subject.

10. Compliance Schedule: The proposed regulatory revisions will go into effect sixty (60) days after the publication of a Notice of Adoption in the New York State Register.

Regulatory Flexibility Analysis

1. Effect of rule: None of the proposed revisions will affect local government. The proposed regulatory revisions will require principals of investment advisers, investment adviser representatives ("IAR"s) and their supervisors, and solicitors to register with Department of Law through the Central Registration Depository and Investment Adviser Registration Depository (collectively "CRD/IARD"), require that they pass certain examinations, and will add to State registered investment advisers ("IA"s) record keeping requirements. Many State registered IAs are small businesses. There are approximately 1,300 state registered IAs with 850 of those having a principal office in New York State. Under the proposed revisions IARs will now be required to register through the CRD/IARD system and pay a fee. Notably, the rule revisions provide an exception for the sole proprietorships so that such IAs are not required to pay the fee for both IA and IAR registration. Any additional IARs associated with that IA will have to file through CRD/IARD and pay an annual \$200 fee as mandated by GBL § 359-eee(7). Although these changes will enforce the States entitlement to IAR registration fees, these rule changes should have minimal effect on small business IAs because such IAs already register in New York and are already required to file information about their IARs with the State pursuant to Form NY-IAQ. The proposed IAR related revisions will also affect IARs representing SEC registered investment advisers managing more than \$25,000,000 in assets. The proposed record keeping changes will require that State registered IAs maintain increased documentation regarding certain of their clients' profiles. The proposed rule will also authorize the Attorney General to deny, suspend, condition and revoke registration statements and applications in the public interest for good cause. These rule revisions should have minimal impact on small businesses. There is no cure period included in the rules since all persons who are subject to the rule are required to file.

2. Compliance requirements: The proposed regulatory revisions do not require local governments to undertake any new reporting or record keeping procedures. The proposed regulatory revisions will require principals of investment advisers, IAR and their supervisors, and solicitors to register with Department of Law through CRD/IARD and will add to State registered IA record keeping requirements. Many State registered IAs are small businesses. There are approximately 1,300 state registered IAs with 850 of those having a principal office in New York State. Under the proposed revisions IARs will now be required to register through the CRD/IARD system and pay a fee. Notably, the rule revisions provide an exception for the sole proprietorships so that such IAs are not required to pay the fee for both IA and IAR registration. Any additional IARs associated with that IA will have to file through CRD/IARD and pay an annual \$200 fee as mandated by GBL § 359-eee(7). These rule changes should have minimal effect on these IAs because such IAs already register in New York and are already required to file information about their IARs with the State pursuant to Form NY-IAQ. The proposed revisions will also affect IARs representing SEC registered investment advisers managing more than \$25,000,000 in assets. The proposed record keeping changes will require that IAs maintain increased documentation regarding certain of their clients' profiles. The proposed rule will also authorize the Attorney General to deny, suspend, condition and revoke registration statements and applications in the public interest for good cause. These rule revisions should have minimal impact on small businesses.

3. Professional services: Local governments will not need to employ any professional services to comply with the proposed regulatory revisions. The proposed regulatory revisions will require certain businesses to incur costs associated with the submission of filings to the Department of Law, including fees associated with the use of the IARD/CRD system.

4. Compliance costs: The Department of Law foresees no initial capital costs nor any additional annual costs to local governments as a result of compliance with the proposed regulatory revisions. The proposed regulatory revisions will require principals of investment advisers, IARs and their supervisors, and solicitors to register with Department of Law through CRD/IARD and will add to State registered IA record keeping requirements. Many State registered IAs are small businesses. There are approximately 1,300 state registered IAs with 850 of those having a principal office in New York State. Under the proposed revisions IARs will now be required to register through the CRD/IARD system and pay a fee. Notably, the rule revisions provide an exception for the sole proprietorships so that such IAs are not required to pay the fee for both IA and IAR registration. Any additional IARs associated with that IA will have to file through CRD/IARD and pay an annual \$200 fee as mandated by GBL § 359-eee(7). These rule changes should have minimal effect on these IAs because such IAs already register in New York and are already required to file information about their IARs with the State pursuant to Form NY-IAQ. The proposed revisions will also affect IARs representing SEC registered investment advisers managing more than \$25,000,000 in assets. The proposed record keeping changes will require that IAs maintain increased documentation regarding certain of their clients' profiles. The proposed rule will also authorize the Attorney General to deny, suspend, condition and revoke registration statements and applications in the public interest for good cause. These rule revisions should have minimal impact on small businesses.

5. Economic and technical feasibility: There is no local government compliance necessitated by the proposed revisions. The proposed regulatory revisions are technologically feasible for small businesses, as they involve only minimal technological requirements including the ability to access the internet and make electronic payments to the State through the CRD/IARD system. Compliance is also economically feasible; the proposed regulatory revisions impose minimal costs to certain small businesses, such as a \$200 annual fee for investment adviser representatives working for investment advisers with client assets under management of ≤\$25,000,000. Notably, the rule revisions provide an exception for the sole proprietorships so that such IAs are not required to pay the fee for the IA and IAR to eliminate any potential duplicate fees. Further, businesses with fewer than six (6) New York clients will not be required to register or pay fees.

6. Minimizing adverse impact: The proposed regulatory revisions do not affect local governments, and therefore have no adverse economic impact on them. The proposed regulatory revisions minimize the requirements on small businesses because the Department of Law proposes to accept nationally accepted filings that may have already been completed by such business in compliance with other state laws. In addition, businesses with fewer than 6 clients will not be affected by this rule at all. Any minimal adverse economic impact will be the result of already existing fee structure. Any minimal adverse economic impact on small businesses will be the result of already existing fee structure. The Department of Law has considered various approaches fashioning the proposed regulatory revisions, including those set forth in State Administrative Procedure Act Section 202-b(1). In particular, the proposed rule minimizes adverse impact by reducing business' need to understand and fill out new forms mandated solely by the State because under the proposed revisions businesses may submit nationally standardized forms through CRD/IARD. Further, the law already excludes certain small businesses from its purview, including IAs with less than six (6) New York clients. The Department of Law has concluded that the proposed regulatory revisions are the most effective means of achieving the statutory objective of GBL § 359-eee.

7. Small business and local government participation: To ensure that small businesses and local governments have an opportunity to participate in the rule making process as required by the State Administrative Procedures Act Section 202-b(6), a copy of the proposed regulatory revisions will be sent to members of the Bar who represent investment advisers dealers and relevant associations. Copies of the proposed regulatory revisions regulations will also be posted on the Office of the Attorney General's website.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: The proposed regulatory revisions apply uniformly throughout the state, including all rural areas. Only a small portion, if any, of State registered investment advisers affected by the proposed revisions are located in rural areas. Certain investment adviser representatives associated with mid-size and large investment advisers with an office located in the State will also be affected.

2. Reporting, recordkeeping and other compliance requirements; and professional services: The proposed revisions will apply to State registered investment advisers ("IA"s) and investment adviser representatives ("IAR"s) throughout the State, including all rural areas. Only a small portion, if any, of state registered investment advisers affected by the proposed revisions are located in rural areas. Certain investment adviser representa-

tives associated with mid-size and large investment advisers with an office located in the State will also be affected.

3. Costs: The Department of Law foresees no initial capital costs nor any additional annual costs to rural public entities as a result of compliance with the proposed revisions. While the \$200 annual fee will affect all investment adviser representatives and solicitors as defined in the proposed rules, only a small portion, if any, of State registered investment advisers affected by the proposed revisions are located in rural areas. Certain investment adviser representatives associated with mid-size and large investment advisers with an office located in the State will also be affected. Notably, the rule revisions provide an exception for sole proprietorships so that such IAs are not required to pay the fee for both IA and IAR registration. Further, businesses with fewer than six (6) New York clients will not be required to register or pay fees. These rule changes should have minimal effect on these IAs because such IAs already register in New York and are already required to file information about their IARs with the State pursuant to Form NY-IAQ. The proposed revisions will also affect IARs representing SEC registered investment advisers managing more than \$25,000,000 in assets.

4. Minimizing adverse impact: The proposed regulatory revisions do not affect local governments, and therefore have no adverse economic impact on them. The proposed regulatory revisions minimize the requirements on small businesses because the Department of Law proposes to accept nationally accepted filings that may have already been completed by such business in compliance with other state laws. In addition, businesses with fewer than 6 clients will not be affected by this rule at all. Any minimal adverse economic impact will be the result of already existing fee structure. The Department of Law has considered various approaches fashioning the proposed regulatory revisions, including those set forth in State Administrative Procedure Act Section 202-bb(2). In particular, the proposed rule minimizes adverse impact by reducing business' need to understand and fill out new forms mandated solely by the State because under the proposed revisions businesses may submit nationally standardized forms through CRD/IARD. Further, the law already excludes certain small businesses from its purview, including IAs with less than 6 clients. The Department of Law has concluded that the proposed regulatory revisions are the most effective means of achieving the statutory objective of GBL § 359-eee.

5. Rural area participation: To ensure that persons and entities in rural areas have an opportunity to participate in the rule making process as required in State Administrative Procedure Act Section 202-bb(7), a copy of the proposed regulatory revisions will be sent to members of the Bar who represent investment advisers and relevant associations. Copies of the proposed regulatory revisions will also be posted on the Office of the Attorney General's website.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Brokers, Dealers and Salespersons Defined Under General Business Law, section 359-e

I.D. No. LAW-15-20-00018-P

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

Proposed Action: Amendment of Part 10 of Title 13 NYCRR.

Statutory authority: General Business Law, section 359-e, (3)(a), (b), (4), (10), (13), (14)(c), (14)(e)

Subject: Brokers, dealers and salespersons defined under General Business Law, section 359-e.

Purpose: Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.

Substance of proposed rule (Full text is posted at the following State website: <https://ag.ny.gov/sites/default/files/full-text-13nycr10.pdf>): The public is imperiled when investment professionals are allowed to peddle investment schemes in the shadows and the Attorney General seeks to illuminate such persons and transactions. At the same time, the Attorney General understands that business interests may be impeded when state registration procedures become confusing and antiquated. The proposed revisions represent a balancing of these interests in light of the well-established federal securities registration regime.

The Investor Protection Bureau of the Department of Law ("Department") proposes revisions to its current regulations in order modernize its registration function, to better conform to the federal securities registration regime, to cure industry confusion as to certain registration requirements and to better track exam requirement compliance of thousands of investment adviser representatives providing investment advice to New

Yorkers. The Attorney General believes that these revisions will help protect the public from fraudulent exploitation in the offering and sale of securities and the provision of investment advice.

The proposed revisions to 13 NYCRR 10¹ amend regulations to require certain notice filings for federal “covered securities” being sold in New York and allow for such filings along federally set timelines, and effectuate such filing through the North American Association of Securities Administrators’ (“NASAA”) electronic filing depository system (“EFD”). New York law has always required securities dealers, among others, to file information deemed pertinent by the Attorney General with the Investor Protection Bureau. The current version of the regulations were designed to adhere to past technology capabilities. Because of the passage of time and the evolution of national registration processes and technology, and due to some confusion within the industry, these Regulations require updating.

In the revised Part 10, the Attorney General classifies securities and dealers for the purpose of directing filing of forms to New York through EFD and to further harmonize New York and federal registration laws. Most critically, the policies and practices of the Department have not kept pace with all of the developments in state and federal securities regulation since the enactment of the National Securities Markets Improvement Act in 1996. In particular, the Department recognizes that clarity is required regarding classification of certain securities and investment professionals and the filings required thereof. Accordingly, through these revisions the Attorney General classifies Federal Covered Investment Company Securities, Federal Regulation D Covered Securities and Federal Tier 2 Securities and the dealers thereof. Under the revised regulations, the Department will require that such dealers file Form NF, Form D and the uniform notice filing for Tier 2 securities with the Department of Law. The filings will provide New York direct notice of persons offering securities from its soil and to its residents and will complement federal registration law in line with its explicit carve outs for state notice filings.

The proposed revisions to 13 NYCRR 11² will fully implement GBL § 359-eee by registering investment adviser representatives through the Central Registration Depository/Investment Advisor Registration Depository (collectively “CRD/IARD”). The authority to register such individuals has always been available under the law. When the CRD/IARD system was first implemented, technological and practical limitations made such registration untenable. Now that improvements have made electronic filing feasible, however, New York is the only state in the Union that does not register these important investment professionals. Such registration will close gaps in nationwide regulation efforts which in certain cases, fail to connect investment adviser representatives with their past record in the securities industry. The complete record of these individual’s records is necessary to protect the public and is maintained in every other state. The Attorney General, by these revisions, now provides notice that investment adviser representatives – including principals and supervisors, as well as solicitors, will upon adoption and implementation of these regulations be explicitly required to meet exam requirements and register with the State.

The proposed revisions to 13 NYCRR 11 also delineate the Department’s authority to deny, suspend, condition, or revoke any registration statement or application of any investment adviser or investment adviser representative in the public interest for good cause. The Department has always held the implicit authority to deny investment adviser applications in the public interest. The new provision codifies this authority and details the specific categories of actions that the Department may take. It is anticipated that guidance will be promulgated to further detail this authority. These revisions also include changes to investment adviser bookkeeping requirements.

The proposed revisions to 13 NYCRR 11 also include a new bookkeeping requirement for investment advisers. The revision requires that State-registered investment advisers take reasonable steps to verify the “accredited investor” and “qualified client” status of any client so designated, including making and maintaining documents used in the course of verification. Such revisions codify the requirement that investment advisers take due care in making such designations, which, if used to recommend investment in certain securities, can expose New Yorkers to increased investment risk.

The proposed revisions to both 13 NYCRR 10 and 13 NYCRR 11, seek to clarify the registration and exam requirements for certain currently-undefined subclassifications of broker-dealers and investment advisers that are paid to match up investors with securities industry participants. The proposals define and classify “Finders” and “Solicitors” and explicitly require registration and exam requirements for both.

Finally, the revisions to 13 NYCRR 10 and 13 NYCRR 11 update numerous outdated terms, past fee requirements and correct other de minimis errata.

These changes provide a number of immediate benefits to the State and its citizens, including: (i) giving the Department more ready access to information about securities issuers in the State; (ii) giving the public, for the first time, detailed information about many investment adviser

representatives in the State; (iii) modernizing the State’s registration processes; (iv) increasing harmonization with federal registration laws; (v) reducing industry confusion; and (vi) giving effect to the spirit and an ultimate aim of Article 23-A’s registration laws by facilitating central and simultaneous registration of investment professionals.

¹ Official Compilation of Codes, Rules and Regulations of the State of New York (“NYCRR”), Title 13, Chapter II Part 10 (13 NYCRR § 10).

² NYCRR, Title 13, Chapter II Part 11 (13 NYCRR § 11).

Text of proposed rule and any required statements and analyses may be obtained from: Kenneth Haim, Office of the Attorney General - Investor Protection Bureau, 28 Liberty St., 21st Floor, New York, New York 10005, (212) 416-8206, email:kenneth.haim@ag.ny.gov.

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

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

Regulatory Impact Statement

1. Statutory Authority: General Business Law (“GBL”) § 359-e requires brokers, dealers and salespersons to register and provide certain other types of notice filings to the State. Section 359-e grants the Attorney General authority to promulgate rules and regulations governing the registration and notice filings of brokers, dealers and salespersons. See, e.g., GBL § 359-e (3)(a),3(b), (4), (10), (13), (14)(c), (14)(e).

2. Legislative Objectives: A primary objective of the statutory authority is to protect the public from fraudulent exploitation in the offer and sales of securities and commodities and to provide the Attorney General with notice of such activity before such exploitation. The objectives of the rule are to: (a) ensure that the Attorney General is provided with information about dealers of unregistered securities available to the extent not in conflict with federal law in order to facilitate the Attorney General’s anti-fraud activities (b) clarify current law and rules, and (c) update current rules that have become outdated.

3. Needs and Benefits: Persons in the securities business in or from New York are mandated by law to pass certain examinations and to provide information regarding their business, via certain statements, to the Attorney General. The Attorney General uses this information to protect the public from fraudulent exploitation. GBL § 359-e contemplates that such information will be provided according to national filing standards. If any such statements are false, the filers of such false statements become subject to liability under New York law. Since the passage of the National Securities Markets Improvement Act in 1996, there may have been industry confusion over the requirements of New York law with regard to the offer and sale of federal covered securities. This confusion was created because federal law generally prohibits states from imposing conditions on certain securities and securities transactions, known as covered securities except for filing requirements that are substantially similar to those of the U.S. Securities and Exchange Commission in conjunction with offering of such securities or transactions, annual or periodic reports of the value of securities sold or offered to be sold to persons located in the State, solely for notice purposes and the assessment of any fee, together with a consent to service of process and any required fee. In addition, there may be some confusion as to whether Finders, those who introduce investors to broker dealers for compensation, are required to register and meet examination requirements in New York. These rules provide a definition of Finders and clarify that they must register and meet examination requirements. The Attorney General, by these proposed revisions, wishes to clarify requirements under New York law.

Specifically, the rule does the following:

(a) Requires Federal Regulation D Covered Securities Dealers to file Form D, Federal Tier 2 Dealers to file the Uniform Notice Filing of Regulation A – Tier 2 Offering Form and Federal Covered Investment Company Dealers to file the New York Form NF, and certain supplemental filings to each form respectively. This requirement fills any perceived gap in the law between filings not prohibited by federal regulations and filings explicitly required under New York regulations. The proposed rules classify several categories of dealers of covered securities and require that such dealers make limited filings of documents already filed with SEC or other uniform notice filings, explicitly bringing New York rules in closer alignment to federal law. The proposed rule also classifies “Finders” and requires registration statements and exam requirements therefrom. The proposed rule will generally require that such filings are made through a nationally accepted electronic system. This proposal makes clear that certain filings and fees are required in New York for certain dealers of covered securities.

(b) Updates references to the National Association of Securities Dealers, Inc., to read “Financial Industry Regulatory Authority” or “FINRA” and updates required State fees in line with GBL § 359-e(5) and corrects other outdated provisions. The proposed rule will eliminate confusion that may be caused by such outdated provisions.

4. Costs: (a) Costs to regulated parties. Under the proposed regulatory revisions, certain securities issuers qualifying as dealers, that may have misinterpreted the existing regulations as inapplicable, will now be explicitly compelled to file with the State and pay filing fees. In addition, certain firms and engaging in regular business as Finders will have to register and pay a filing fee. Such fees will be due in amounts of either \$300 or \$1,200 every four years, depending on that activity of the filer and the size of the offering as detailed in GBL § 359-e(5). Supplemental filings may also be required at a cost of \$30 per amendment. These fees are set forth in GBL § 359-e (5) and are unchanged by the proposed rule revisions herein. In addition, filers will usually be required to pay usual and customary electronic filing fees required by the North American Securities Administrators Association's Electronic Filing Depository. Based on a review of data related to form D filings stating that securities would be offered in New York state, there could be approximately 5,500 issuers that would notice file and pay fees under this rule. Such estimate could be materially reduced as certain of these filers may not satisfy the definition of dealer under GBL § 359-e(1)(a) and thus may not be required to file under the rules.

(b) Costs to the agency, the state and local governments. The Department of Law believes that it will incur incremental administrative costs related to processing additional forms and amendments thereto. However, the Attorney General also believes that the elimination of certain older forms, and eventual electronic filing of Form D and Form NF, will offset overall costs to the Department. The Department of Law also foresees a reduction of State Notice and Further State Notice filings to the Department of State for filers that will qualify as Federal Regulation D Covered Securities Dealers, Federal Tier 2 Securities Dealers, and Federal Investment Company Securities Dealers as classified under the proposed regulatory revisions. The Department of Law foresees no additional costs to any other state or local government agencies.

(c) Information and methodology upon which the estimate is based. The estimated costs to regulated parties, the agency and state and local governments is based on the assessment of the Attorney General, in reliance upon data and information available to her maintained by the Department of Law's Investor Protection Bureau.

5. Local Government Mandates: The proposed regulatory revisions do not impose any programs, services, duties or responsibilities on any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: The proposed revisions mandate filing of existing federal and nationally standard forms. Besides the forms explicitly designated in the regulation revisions, which are generally already created as notice filings for the SEC or other states and which are sought electronically by the Attorney General, no additional reporting or paperwork requirements would be required as a result of the proposed regulatory revisions.

7. Duplication: The proposed regulatory revisions will now explicitly require that, among other things, copies of certain filings to the federal government shall be filed directly with the Attorney General. Federal law does not prohibit such filings be made with the State and in almost all other states such filings are required. The proposed notice filing requirements provide the Attorney General with direct notice of dealers offering and selling securities to and from the State, mandate that issuers make representations about their business directly to the State and provide investigatory opportunities, all of which help protect the public from fraudulent exploitation.

8. Alternatives: The Attorney General has considered alternatives to its proposed regulatory revisions. In particular, the Attorney General has for the past many years required that filers, many of whom will now qualify as Federal Regulation D Covered Securities Dealers, Federal Tier 2 Securities Dealers, and Federal Investment Company Securities Dealers, file forms as directed by Department of Law instruction sheets posted to the Attorney General's website. The Attorney General has also considered requiring no filings from such dealers. The Attorney General has concluded that persons qualifying as dealers under GBL § 359-e must be required to file information with and make representations directly to the Department of Law and that they may do so through notice filings. The Attorney General has concluded that the proposed revisions are necessary and are the most effective means available to regulate parties offering and selling securities and advance the public's knowledge about personnel offering and selling such securities while simultaneously reducing the unintended consequences that stem from any misinterpretation of existing laws and regulations. The Attorney General has also explored implementing these regulations by order as authorized under GBL § 359-e. Rather than proceed by order, the Attorney General has chosen to seek public comment related to these revisions.

9. Federal Standards: The proposed regulatory revisions do not exceed any minimum standards of the federal government for the same or similar subject.

10. Compliance Schedule: The proposed regulatory revisions will go

into effect upon publication of a Notice of Adoption in the New York State Register.

Regulatory Flexibility Analysis

1. Effect of rule: The proposed regulatory revisions will facilitate formal participation in the North American Association of Securities Administrators' ("NASAA") electronic filing depository ("EFD"), and require certain notice filings, with regard to unregistered securities being sold in New York. Businesses offering unregistered securities that constitute dealers under General Business Law ("GBL") § 359-e and that satisfy the definition of certain covered securities under federal law, will be required to file that federal filing, or other standardized notice filing, directly with the Department of Law and pay a fee every four years. The proposed rules also clarify that "Finders" are required to register, pass examination requirements and pay filing fees. Such fees, as designated in GBL § 359-e(5) are \$1,200.00 for broker-dealers, \$300.00 for offerings of \$500,000.00 or less and \$1,200.00 for offerings of more than \$500,000.00. However, such businesses will be able to apply for an exemption from registration under provisions of GBL § 359-f, including GBL § 359-f(2)(d) for securities sold in limited offerings. Should such business apply for and be granted an exemption from registration under GBL § 359-f(2)(d), it would be required to pay a one-time \$300.00 fee. GBL § 359-e already requires that these same businesses file with the Department of Law and pay the same fees. The proposed rule revisions clarify potential misinterpretation of State law requirements. This rule has no adverse effect on any local government. There is no cure period included in the rules since all persons who are subject to the rule are required to file unless they fall into certain exemptions under GBL § 359-f.

2. Compliance requirements: As mentioned above, the proposed regulatory revisions will facilitate formal participation in the EFD and require certain notice filings for unregistered securities being sold in New York. Businesses offering unregistered securities that constitute dealers under GBL § 359-e and that satisfy the definition of certain covered securities under federal law, will be required to file that federal filing, or other standardized notice filing, directly with the Department of Law and pay a fee every four years. The proposed rules also clarify that "Finders" are required to register, pass examination requirements and pay filing fees. Such fees, as designated in GBL § 359-e(5) are \$1,200.00 for broker-dealers, \$300.00 for offerings of \$500,000.00 or less and \$1,200.00 for offerings of more than \$500,000.00. However, such businesses will be able to apply for an exemption from registration under provisions of GBL § 359-f, including GBL § 359-f(2)(d) for securities sold in limited offerings. Should such business apply for and be granted an exemption from registration under GBL § 359-f(2)(d), it would be required to pay a \$300.00 fee. GBL § 359-e already requires that these same businesses file with the Department of Law and pay the same fees. The proposed rule revisions clarify potential misinterpretation of State law requirements. This rule has no adverse effect on any local government.

3. Professional services: Local governments will not need to employ any professional services to comply with the proposed regulatory revisions. The proposed regulatory revisions may require certain businesses to incur the professional costs associated with the submission of filings to the Department of Law, including fees associated with the use of the EFD system.

4. Compliance costs: The Department of Law foresees no initial capital costs nor any additional annual costs to local governments as a result of compliance with the proposed regulatory revisions. The proposed regulatory revisions will facilitate formal participation in the EFD system and require certain notice filings for unregistered securities being sold in New York. Businesses offering unregistered securities that constitute dealers under GBL § 359-e and that satisfy the definition of certain covered securities under federal law, will be required to file that federal filing, or other standardized notice filing, directly with the Department of Law and pay a fee every four years. The proposed rules also clarify that "Finders" are required to register, pass examination requirements and pay filing fees. Such fees, as designated in GBL § 359-e(5) are \$1,200.00 for broker-dealers, \$300.00 for offerings of \$500,000.00 or less and \$1,200.00 for offerings of more than \$500,000.00. However, such businesses will be able to apply for an exemption from registration under provisions of GBL § 359-f, including GBL § 359-f(2)(d) for securities sold in limited offerings. Should such business apply for and be granted an exemption from registration under GBL § 359-f(2)(d), it would be required to pay a one-time \$300.00 fee. GBL § 359-e already requires that these same businesses file with the Department of Law and pay the same fees. The proposed rule revisions clarify potential misinterpretation of State law requirements.

5. Economic and technical feasibility: There is no local government compliance necessitated by the proposed revisions. The proposed regulatory revisions are technologically feasible for small businesses, as the proposed regulatory revisions involve minimal technological requirements including the ability to access the internet and make electronic payments

to the state through the EFD system. Compliance is also economically feasible; the proposed regulatory revisions impose minimal costs to certain small businesses, and the opportunity for certain exemptions.

6. **Minimizing adverse impact:** The proposed regulatory revisions do not affect local governments, and therefore have no adverse economic impact on them. The proposed regulatory revisions minimize the requirements on certain businesses because the Department of Law proposes to accept notice filings on forms already completed by such business in compliance with federal or state law. Any minimal adverse economic impact will be the result of the already existing fee structure. The Department of Law has considered various approaches fashioning the proposed regulatory revisions, including those set forth in State Administrative Procedure Act Section 202-b(1). In particular, the proposed rule minimizes adverse impact by reducing business' need to understand and fill out new forms mandated solely by the State because under the proposed revisions certain businesses will submit federal and nationally standardized forms. Further, the law already contains exemptions, for which certain businesses may be eligible. The Department of Law has concluded that the proposed regulatory revisions are the most effective means of achieving the statutory objective of GBL § 359-e and reducing any confusion that stems from a misinterpretation of the existing regulations.

7. **Small business and local government participation.** To ensure that small businesses and local governments have an opportunity to participate in the rule making process as required by the State Administrative Procedures Act Section 202-b(6), a copy of the proposed regulatory revisions will be sent to members of the Bar who represent securities dealers and relevant association(s). Copies of the proposed regulatory revisions regulations will also be posted on the Office of the Attorney General's website.

Rural Area Flexibility Analysis

1. **Types and estimated numbers of rural areas:** The proposed regulatory revisions apply uniformly throughout the state, including all rural areas. Only a small portion of brokers or dealers, if any, affected by the rule revisions are located in rural areas.

2. **Reporting, recordkeeping, and other compliance requirements; and professional services:** The proposed revisions will apply to dealers offering certain securities and to Finders throughout the state, including all rural areas.

3. **Costs:** The Department of Law foresees no initial capital costs nor any additional annual costs to rural public entities as a result of compliance with the proposed revisions. While the \$300/\$1200 quadrennial fee and \$30 supplemental filing fees will affect dealers of certain securities meeting the definitions in the proposed revisions, only a small portion of dealers, if any, affected by the rule revisions are located in rural areas. Further such dealers may apply for exemptions under GBL § 359-f including a small issuer exemption, to the extent they are eligible, which could substantially reduce costs.

4. **Minimizing adverse impact:** The proposed regulatory revisions minimize the requirements on certain businesses because the Department of Law proposes to accept notice filings on forms already completed by such business in compliance with federal or state law. Any minimal adverse economic impact will be the result of the already existing fee structure. The Department of Law has considered various approaches fashioning the proposed regulatory revisions, including those set forth in State Administrative Procedure Act Section 202-bb(2). In particular, the proposed rule minimizes adverse impact by reducing business' need to understand and fill out new forms mandated solely by the State because under the proposed revisions certain businesses will submit federal and nationally standardized forms. Further, the law already contains exemptions, for which certain businesses may be eligible. The Department of Law has concluded that the proposed regulatory revisions are the most effective means of achieving the statutory objective of GBL § 359-e, and reducing any confusion that stems from a misinterpretation of the existing regulations.

5. **Rural area participation:** To ensure that persons and entities in rural areas have an opportunity to participate in the rule making process as required in State Administrative Procedure Act Section 202-bb(7), a copy of the proposed regulatory revisions will be sent to members of the Bar who represent securities dealers and relevant associations. Copies of the proposed regulatory revisions will also be posted on the Office of the Attorney General's website.

Long Island Power Authority

EMERGENCY RULE MAKING

LIPA's Late Payment Charges, Reconnection Charges, and Low-income Customer Discount Enrollment

I.D. No. LPA-15-20-00010-E

Filing Date: 2020-03-31

Effective Date: 2020-04-01

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

Action taken: The Long Island Power Authority proposes to modify its Tariff for Electric Service, in response to the COVID-19 emergency, to provide discretion to waive late payment and reconnection charges and to suspend the expiration of low-income program discounts.

Statutory authority: Public Authorities Law, section 1020-f(u) and (z)

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

Specific reasons underlying the finding of necessity: This amendment is adopted as an emergency measure because time is of the essence, upon a finding that the amendment is necessary to the general welfare because the amendment mitigates the anticipated impacts of the COVID-19 epidemic, including the closure by Executive Order of all non-essential businesses in the State of New York, on the economy of Long Island.

Subject: LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment.

Purpose: To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts.

Substance of emergency rule: The Long Island Power Authority adopted emergency temporary modifications to its Tariff for Electric Service to allow PSEG Long Island (1) to suspend application of customer late payment charges, (2) to suspend application of customer reconnection charges (including backbilled demand and service charges), and (3) to extend the grace period for customers to re-enroll in the low-income customer discount program. These changes are effective for 90 days from April 1, 2020, and were adopted on an emergency basis to help protect the welfare of customers impacted by COVID-19 and the associated economic impacts on local businesses and residents.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires June 28, 2020.

Text of rule and any required statements and analyses may be obtained from: Long Island Power Authority, Justin Bell, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9886, email:tariffchanges@lipower.org.

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 rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

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.

Public Service Commission

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Suspension of Tariff Fees Associated with Certain Suspended Activities and Services

I.D. No. PSC-15-20-00001-EP

Filing Date: 2020-03-25

Effective Date: 2020-03-25

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

Proposed Action: The Commission adopted an order on March 25, 2020 temporarily suspending KeySpan Gas East Corporation d/b/a National Grid's (KEDLI) tariff fees associated with certain suspended collections-related activities and non-essential services.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Given the potential for widespread financial hardships related to the COVID-19 pandemic, KEDLI seeks Commission approval to, among other things, temporarily suspend KEDLI's tariff fees associated with certain suspended collections-related activities and non-essential services. Absent immediate Commission action, the approved fees would go into effect. In order to help alleviate the financial hardships customers may face, this action cannot wait for the 60 day comment period to expire.

Subject: Suspension of tariff fees associated with certain suspended activities and services.

Purpose: To assist customers in a time of hardship.

Substance of emergency/proposed rule: The Public Service Commission is considering a petition filed on March 25, 2020 by Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corporation d/b/a National Grid (KEDLI) (collectively, National Grid or the Companies).

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in an effort to provide assistance for customers, the petition requests to temporarily suspend KEDLI's tariff fees associated with certain suspended collections-related activities and non-essential services.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 22, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(16-G-0058EP7)

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Postponement of a Rate Increase

I.D. No. PSC-15-20-00002-EP

Filing Date: 2020-03-25

Effective Date: 2020-03-25

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

Proposed Action: The Commission adopted an order on March 25, 2020 postponing Niagara Mohawk Power Corporation d/b/a National Grid's approved gas delivery rate increases, scheduled to take effect on April 1, 2020.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Given the potential for widespread financial hardships related to the COVID-19 pandemic, Niagara Mohawk seeks Commission approval to, among other things, postpone its approved gas delivery rate increases, scheduled to take effect on April 1, 2020. Absent immediate Commission action, the approved rate increase would go into effect. In order to help alleviate the financial hardships customers may face, this action cannot wait for the 60 day comment period to expire.

Subject: Postponement of a rate increase.

Purpose: To assist customers in a time of hardship.

Substance of emergency/proposed rule: The Public Service Commission is considering a petition filed on March 25, 2020 by Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corporation d/b/a National Grid (KEDLI) (collectively, National Grid or the Companies).

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in order to assist customers, the petition requests a three-month postponement for Niagara Mohawk's approved gas delivery rate increases, scheduled to take effect on April 1, 2020, pursuant to its current three-year rate plan; and temporarily suspending Niagara Mohawk's tariff fees associated with certain suspended collections-related activities and non-essential services.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 22, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(17-G-0239EP4)

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

Postponement of a Rate Increase**I.D. No.** PSC-15-20-00003-EP**Filing Date:** 2020-03-25**Effective Date:** 2020-03-25

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

Proposed Action: The Commission adopted an order on March 25, 2020 postponing Niagara Mohawk Power Corporation d/b/a National Grid's approved electric delivery rate increases, scheduled to take effect on April 1, 2020.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Given the potential for widespread financial hardships related to the COVID-19 pandemic, Niagara Mohawk seeks Commission approval to, among other things, postpone its approved electric delivery rate increases, scheduled to take effect on April 1, 2020. Absent immediate Commission action, the approved rate increase would go into effect. In order to help alleviate the financial hardships customers may face, this action cannot wait for the 60 day comment period to expire.

Subject: Postponement of a rate increase.

Purpose: To assist customers in a time of hardship.

Substance of emergency/proposed rule: The Public Service Commission is considering a petition filed on March 25, 2020 by Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corporation d/b/a National Grid (KEDLI) (collectively, National Grid or the Companies).

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in order to assist customers, the petition requests a three-month postponement for Niagara Mohawk's approved electric delivery rate increases, scheduled to take effect on April 1, 2020, pursuant to its current three-year rate plan; and temporarily suspending Niagara Mohawk's tariff fees associated with certain suspended collections-related activities and non-essential services.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 22, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(17-E-0238EP8)

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

Postponement of the Annual Update of the Low Income Discount Credits**I.D. No.** PSC-15-20-00004-EP**Filing Date:** 2020-03-25**Effective Date:** 2020-03-25

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

Proposed Action: The Commission adopted an order on March 25, 2020 postponing Niagara Mohawk Power Corporation d/b/a National Grid's annual update of the low income discount credits, scheduled to take effect on April 1, 2020.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Given the potential for widespread financial hardships related to the COVID-19 pandemic, National Grid seeks Commission approval to, among other things, postpone the annual rate increase update of the low income discount credits scheduled to take effect on April 1, 2020. Absent immediate Commission action, the approved update would go into effect and could reduce the needed discount to some of its most financially vulnerable customers. In order to help alleviate the financial hardships customers may face, this action cannot wait for the 60 day comment period to expire.

Subject: Postponement of the annual update of the low income discount credits.

Purpose: To assist customers in a time of hardship.

Substance of emergency/proposed rule: The Public Service Commission is considering a petition filed on March 25, 2020 by Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corporation d/b/a National Grid (KEDLI) (collectively, National Grid or the Companies).

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in order to assist customers who may be experiencing financial hardship, the petition requests the postponement of Niagara Mohawk's annual update of the low income discount credits, scheduled to take effect on April 1, 2020. For some customers the scheduled update would have decreased the credits they have been receiving.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 22, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(14-M-0565EP12)

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

Postponement of Delivery Rate and System Improvement Charge (SIC) Increases and Implementation of a Make Whole Surcharge

I.D. No. PSC-15-20-00005-EP

Filing Date: 2020-03-25

Effective Date: 2020-03-25

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

Proposed Action: The Commission adopted an order on March 25, 2020 postponing New York American Water Company's (NYAW) approved water delivery rate increases and System Improvement Charge (SIC) surcharge increases and approving implementation of a make whole surcharge.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Given the potential for widespread financial hardships related to the COVID-19 pandemic, New York American Water (NYAW) seeks, among other things, approval for a five-month postponement of its approved water delivery rate increases, a one-month postponement of the approved increase to the System Improvement Charge (SIC) surcharge and approval to implement a make whole surcharge. Absent immediate Commission action, the approved delivery rate increases would go into effect on April 1, 2020. In order to help ease the financial hardships customers may face, the action cannot wait for the 60 day comment period to expire.

Subject: Postponement of delivery rate and System Improvement Charge (SIC) increases and implementation of a make whole surcharge.

Purpose: To assist customers in a time of hardship.

Substance of emergency/proposed rule: The Commission is considering a petition filed by New York American Water Company, Inc. (NYAW) on March 25, 2020.

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in order to assist customers NYAW is requesting a five-month postponement of NYAW's approved water delivery rate increases, scheduled to take effect on April 1, 2020, pursuant to its current four-year rate plan and a one-month postponement for the approved increase to the Company's System Improvement Charge (SIC) surcharge that is otherwise scheduled to take effect on or before August 1, 2020. NYAW also requests to implement a make whole surcharge on April 1, 2021, that would remain in effect through March 31, 2022.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 22, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(16-W-0259EP14)

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

Suspension of Tariff Fees Associated with Certain Suspended Activities and Services

I.D. No. PSC-15-20-00006-EP

Filing Date: 2020-03-25

Effective Date: 2020-03-25

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

Proposed Action: The Commission adopted an order on March 25, 2020 temporarily suspending The Brooklyn Union Gas Company d/b/a National Grid NY's (KEDNY) tariff fees associated with certain suspended collections-related activities and non-essential services.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Given the potential for widespread financial hardships related to the COVID-19 pandemic, KEDNY seeks Commission approval to, among other things, temporarily suspend KEDNY's tariff fees associated with certain suspended collections-related activities and non-essential services. Absent immediate Commission action, the approved fees would go into effect. In order to help alleviate the financial hardships customers may face, this action cannot wait for the 60 day comment period to expire.

Subject: Suspension of tariff fees associated with certain suspended activities and services.

Purpose: To assist customers in a time of hardship.

Substance of emergency/proposed rule: The Public Service Commission is considering a petition filed on March 25, 2020 by Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corporation d/b/a National Grid (KEDLI) (collectively, National Grid or the Companies).

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in an effort to provide assistance to customers, the petition requests to temporarily suspend KEDNY's tariff fees associated with certain suspended collections-related activities and non-essential services.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 22, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(16-G-0059EP7)

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

Amendment of Tariff Modifying Cash-out Rules and Potential Penalties

I.D. No. PSC-15-20-00016-EP

Filing Date: 2020-03-31

Effective Date: 2020-03-31

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

Proposed Action: The Commission adopted an order on March 31, 2020 amending Central Hudson Electric and Gas Corporation's gas tariff No. 12, effective April 1, 2020, to waive daily imbalance penalties for Retail Suppliers delivering outside the prescribed deadband and adjust the Index pricing applied to Retail Suppliers' over- and under-deliveries such that the average of the existing Index prices be used for both over- and under-deliveries.

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

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

Specific reasons underlying the finding of necessity: Governor Andrew Cuomo, on March 7, 2020, declared a state of emergency due to the unprecedented coronavirus (COVID-19) pandemic that is now spreading rapidly throughout the state and country. The declaration, while necessary to protect the health, safety and general welfare of the public, has inevitably resulted in the temporary closure of many businesses and schools across the state. Central Hudson Electric and Gas Corporation believes there is the potential for reduced gas usage by such businesses. Given the current structure and mechanics of Central Hudson's Retail Access program, the Company anticipates these operational changes may result in Retail Supplier over-deliveries absent any action by the Company. An oversupply situation created by Retail Supplier over-deliveries could risk the reliability of the gas network for all customers. Central Hudson seeks approval to implement the proposed measures in an effort to mitigate potential over-supply situations and allow Central Hudson to manage the gas system reliably.

Given the potential for gas system reliability issues resulting from and related to the COVID-19 pandemic, Central Hudson seeks Commission approval to implement measures and amend certain gas tariffs to be effective April 1, 2020 in an effort to mitigate potential situations and allow Central Hudson to manage the gas system reliably. Absent immediate Commission action, the amended tariffs would not timely go into effect to alleviate these reliability concerns, and therefore, this action cannot wait for the 60 day comment period to expire.

Subject: Amendment of tariff modifying cash-out rules and potential penalties.

Purpose: To ensure gas system reliability and safety.

Substance of emergency/proposed rule: The Public Service Commission is considering a petition filed on March 30, 2020 by Central Hudson Electric and Gas Corporation (Central Hudson).

Due to these operational changes in many businesses throughout the Company's service territory as a result of the COVID-19 pandemic, Central Hudson believes there is the potential for reduced gas usage by such businesses. Given the current structure and mechanics of Central Hudson's Retail Access program, the Company anticipates these operational changes may result in Retail Supplier over-deliveries absent any action by the Company. An oversupply situation created by Retail Supplier over-deliveries could risk the reliability of the gas network for all customers. Central Hudson seeks approval to implement the proposed measures in an effort to mitigate potential over-supply situations and allow Central Hudson to manage the gas system reliably.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 28, 2020.

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.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0150EP1)

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

To Modify the Terms and Conditions Under Which Gas Utilities Provide Service to Electric Generators

I.D. No. PSC-15-20-00011-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 a proposal filed by Department of Public Service Staff regarding the modification of the terms and conditions of gas service to electric generators.

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

Subject: Modify the terms and conditions under which gas utilities provide service to electric generators.

Purpose: To provide clarity and uniformity to the provision of gas service to electric generators.

Substance of proposed rule: The Commission is considering a proposal filed on March 30, 2020 by Department of Public Service Staff (Staff), to modify the terms and conditions applicable to gas utility service to electric generators that use gas as a fuel.

The Staff Proposal intends to ensure that gas rates charged to electric generators are cost based, do not distort electric prices, and that the rates charged, as well as the other terms and conditions applicable to this gas service, protect the reliability of the gas utilities' systems. Specifically, Staff proposes to eliminate the fixed contribution to system cost, marginal system cost, value added charge, minimum bill obligation, and the existing requirement that gas used by a generator for purposes other than electric generation be priced separately. In their place, Staff proposes to create a demand charge, a fixed minimum access charge, and a volumetric delivery charge. Further, Staff proposes to retain the existing volumetric balancing charge structure; the lost and unaccounted for gas charge. Finally, the Staff Proposal asks for comments regarding the size of electric generators to which the proposal should apply. Analogous provisions currently apply to generators with a capacity of at least 50 Megawatts.

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

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

(17-G-0011SP1)

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

Tariff Filing

I.D. No. PSC-15-20-00012-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 a tariff filing from KeySpan Gas East Corporation d/b/a National Grid to implement a gas demand response program for firm customers.

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

Subject: Tariff filing.

Purpose: To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.

Substance of proposed rule: The Public Service Commission is considering a tariff amendment, filed on February 7, 2020 by KeySpan East Gas Corporation d/b/a National Grid (Company), to revise its gas tariff schedule, P.S.C. No. 1 – Gas to implement a gas demand response program for firm customers.

The Company states that the tariff amendment will allow it to enhance its portfolio of energy efficiency and demand response programs as required by the Commission's Order Adopting and Approving Settlement, issued on November 26, 2019 in Case 19-G-0678. The demand response program provides the Company with the right to call upon firm customers (large commercial, industrial, and multi-family customers selected at the Company's discretion) who choose to participate to curtail load when needed. Participants in the demand response program agree to curtail their natural gas consumption for a defined time period in exchange for an economic incentive. The proposed amendments have an effective date of July 1, 2020. Additionally, the Company requests a waiver of the newspaper publication requirement under Public Service Law Section 66(12) and 16 NYCRR Section 720.8.

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

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

Data, views or arguments may be submitted to: 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.

(20-G-0087SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Ownership of New York American Water Company, Inc

I.D. No. PSC-15-20-00013-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 a joint petition for the transfer of ownership of New York American Water Company, Inc. to Liberty Utilities (East Water Holdings) Corp. and related issuance of long-term debt.

Statutory authority: Public Service Law, sections 89-h and 89-f

Subject: Ownership of New York American Water Company, Inc.

Purpose: To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.

Substance of proposed rule: The New York State Public Service Commission is considering a joint petition, filed on February 28, 2020, by American Water Works Company, Inc. (AWW), New York American Water Company, Inc. (NYAW), and Liberty Utilities (Eastern Water Holdings) Corp. (Liberty Eastern) (collectively, the Petitioners) for approval, pursuant to Public Service Law (PSL) § 89-h and NYCRR § 17.2 and 39.1, of the acquisition by Liberty Eastern of NYAW's issued and outstanding capital stock and for approval, pursuant to PSL § 89-f and NYCRR § 37.1, of the issuance of long-term indebtedness.

The petition requests that the Commission approve the transfer of 100% of NYAW's outstanding stock from the current owner – AWW – to Liberty Eastern pursuant to a Stock Purchase Agreement, dated November 20, 2019. Related to the proposed transfer of ownership, the Petitioners also

request approval of the issuance of long-term indebtedness to replace NYAW's existing long-term debt, totaling \$196 million as of January 1, 2020, and preserve NYAW's currently approved capital structure.

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

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

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

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

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

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

(20-W-0102SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Tariff Filing

I.D. No. PSC-15-20-00014-P

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

Proposed Action: The Commission is considering a tariff filing from The Brooklyn Union Gas Company d/b/a National Grid NY to implement a gas demand response program for firm customers.

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

Subject: Tariff filing.

Purpose: To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.

Substance of proposed rule: The Public Service Commission is considering a tariff amendment, filed on February 7, 2020 by The Brooklyn Union Gas Company d/b/a National Grid NY (Company), to revise its gas tariff schedule, P.S.C. No. 12 – Gas to implement a gas demand response program for firm customers.

The Company states that the tariff amendment will allow it to enhance its portfolio of energy efficiency and demand response programs as required by the Commission's Order Adopting and Approving Settlement, issued on November 26, 2019 in Case 19-G-0678. The demand response program provides the Company with the right to call upon firm customers (large commercial, industrial, and multi-family customers selected at the Company's discretion) who choose to participate to curtail load when needed. Participants in the demand response program agree to curtail their natural gas consumption for a defined time period in exchange for an economic incentive. The proposed amendments have an effective date of July 1, 2020. Additionally, the Company requests a waiver of the newspaper publication requirement under Public Service Law Section 66(12) and 16 NYCRR Section 720.8.

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

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

Data, views or arguments may be submitted to: 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.

(20-G-0086SP1)

State University of New York

EMERGENCY RULE MAKING

Student Assembly Elections, Student Assembly Officers, Campus Government Elections, Student Activity Fees

I.D. No. SUN-15-20-00008-E

Filing No. 255

Filing Date: 2020-03-30

Effective Date: 2020-03-30

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

Action taken: Amend Parts 302, 312, 341 and 604 of Title 8 NYCRR.

Statutory authority: Education Law, sections 355(2)(b) and 356(1)

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

Specific reasons underlying the finding of necessity: Amendment of these regulations needs to proceed on an emergency basis to postpone referendum voting on student activity fees, elections of State University of New York (SUNY) Student Assembly representatives, and Student Assembly officers from the spring 2020 semester to the fall 2020 semester to ensure that students who have departed from their campuses in the wake of campus closures due to the COVID-19 outbreak would retain the ability to participate in such voting. It would also allow for the Student Assembly officers to hold over their positions until the fall 2020 elections, which is necessary if the Assembly does not meet in spring 2020 and provides for continued leadership for the organization until such elections can occur.

Subject: Student Assembly Elections, Student Assembly Officers, Campus Government Elections, Student Activity Fees.

Purpose: To postpone voting on student activity fees and elections of Student Assembly representatives and officers until Fall 2020.

Text of emergency rule: Parts 302, 312, 341 and 604 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York shall be amended to read as follows:

302.14 (a) Referendum. Prior to the close of the academic year 2004-2005 and every two years thereafter, the student body (or such components thereof as may be designated by the chief administrative officer, or designee) at each State-operated campus shall determine by referendum whether student activity programs shall be supported by either voluntary or mandatory student fees. Such referendum shall be held on the same day as the annual elections for officers of the representative student organization or organizations (hereinafter referred to as "student government"); *provided, however that any such referendum scheduled to take place in the spring 2020 semester shall be held at a time and place as determined by the applicable student government leadership between the dates of September 8 and September 20, 2020 for each State-operated campus holding such a referendum, and such postponed referendum shall occur in conjunction with elections for officers of the student government to be held at such time. If a referendum held in the spring 2020 semester occurred prior to March 26, 2020, the results of such referendum shall remain in force and shall not be impacted by this postponement.* The determination resulting from each referendum shall remain in force for a period of two academic years, except that at any time and from time to time within such two-year period a subsequent referendum held in accordance with the constitution and by-laws of the student government may effect a change in this determination with respect to the following academic year.

302.14-a 2020 Campus student government elections. Any election for the selection of campus student government officers at state-operated institutions scheduled for the spring 2020 semester shall be postponed and shall be held at a time and place as determined by the applicable student government leadership between the dates of September 8 and September 20, 2020, and such election shall occur in conjunction with the referendum on student activity fees, if such referendum was to be held in the spring 2020 semester. Any representative serving in the spring 2020 semester from a campus that has postponed its election until the fall of 2020 shall remain in such position until the fall 2020 election; *provided that in the event such representative cannot fully execute all powers or responsibilities of the office, the campus government may create a process to ensure all duties or responsibilities are executed by another officer or officers, as*

designated by such student government. If such an election held in the spring 2020 semester occurred prior to March 26, 2020, the results of such election shall remain in force and shall not be impacted by this postponement.

312.1(b) The association, or such organization as may be mutually agreed upon pursuant to subdivision (a) of this section in the case of multiple student governance organization, prior to October 1, 1975, or as soon thereafter as may be practicable, shall conduct an election and certify a successful candidate to the chairman of the college council. Such member-elect shall hold office from October 1, 1975. In each succeeding year, the election shall be conducted prior to July 1st and each elected member shall serve for one calendar year; *provided, however, that any such election scheduled for the spring 2020 semester shall be postponed and shall occur between the dates of September 8 and September 20, 2020 for each campus holding such an election. Any student member serving in the spring 2020 semester at a campus that has postponed its election until the fall of 2020 shall remain in such position until the fall 2020 election. If an election held in the spring 2020 semester occurred prior to March 26, 2020, the results of such election shall remain in force and shall not be impacted by this postponement.*

312.2(a) the time and place of such election; *provided, however, that any such election scheduled for the spring 2020 semester shall be postponed and shall occur between the dates of September 8 and September 20, 2020 for each campus holding such an election. If an election held in the spring 2020 semester occurred prior to March 26, 2020, the results of such election shall remain in force and shall not be impacted by this postponement;*

312.2(b) the eligibility of electors, except that eligibility shall not be limited to undergraduate students or full-time students only, *provided, however, that any student members serving in the spring 2020 semester at a campus that has postponed its election until the fall of 2020 shall remain in such positions until the fall 2020 election notwithstanding failure to meet eligibility requirements.*

312.2(g) the manner in which an elected student member may be removed and the manner in which a vacancy in the term of an elected student member shall be filled if such student member is unable or unwilling to serve for the remainder of such term.

604.4(a)(2) The association, or such organization as may be mutually agreed upon pursuant to this subdivision in the case of multiple student governance organizations shall conduct an annual election and certify a successful candidate to the chairman of the board of trustees. Such member-elect shall hold office from July 1st through June 30th. The election shall be conducted prior to July 1st and each elected member shall serve for one calendar year; *provided, however, that any such election scheduled for the spring 2020 semester shall be postponed and shall occur between the dates of September 8 and September 20, 2020 for each campus holding such an election. Any student member serving in the spring 2020 semester at a campus that has postponed its election until the fall of 2020 shall remain in such position until the fall 2020 election. If an election held in the spring 2020 semester occurred prior to March 26, 2020, the results of such election shall remain in force and shall not be impacted by this postponement.* Campus procedures shall be followed to fill the student trustee position should a vacancy occur.

604.4(b)(1) the time and place of such election; *provided, however, that any such election scheduled for the spring 2020 semester shall be postponed and shall occur between the dates of September 8 and September 20, 2020 for each campus holding such an election. If an election held in the spring 2020 semester occurred prior to March 26, 2020, the results of such election shall remain in force and shall not be impacted by this postponement;*

604.4(b)(3) the manner of qualifying as a candidate for election, except that in the event that a student member ceases to be a student at the institution, he shall be required to resign, *provided, however, that any student members serving in the spring 2020 semester at a campus that has postponed its election until the fall of 2020 shall remain in such positions until the fall 2020 election notwithstanding failure to meet eligibility requirements;*

604.4(b)(7) the manner in which an elected student member may be removed and the manner in which a vacancy in the term of an elected student member shall be filled if such student member is unable or unwilling to serve for the remainder of such term.

341.5(b) The first representative of each member institution shall be that institution's student government president. Additional representatives from member institutions, which exceed the 4,000 FTE base enrollment, shall be duly elected annually from among and by the students of that institution through a campus-wide election in accordance with procedures promulgated by the campus student government body; *provided, however, that any such election scheduled for the spring 2020 semester shall be postponed and shall occur between the dates of September 8 and September 20, 2020 for each campus holding such an election. Any representa-*

ive or officer serving in the spring 2020 semester from a campus that has postponed its election until the fall of 2020 shall remain in such position until the fall 2020 election. If an election held in the spring 2020 semester occurred prior to March 26, 2020, the results of such election shall remain in force and shall not be impacted by this postponement. In the case of the statutory colleges, representatives must be statutory college students elected in accordance with procedures promulgated by the campus' student government body.

341.11 Election of officers. Officers shall be elected by the members of the student assembly at its annual business meeting; *provided, however, that any such election scheduled for the annual business meeting occurring during the spring 2020 semester shall be postponed and shall occur between the dates of September 8 and September 30, 2020, and, notwithstanding the provisions of sections 341.12 and 341.13 of this part, any officers serving in the spring 2020 semester shall remain in such positions until such election.* To stand for election as an officer, an individual must be eligible to serve as a representative from the institution, must have at least a 2.5 cumulative GPA, must be enrolled at a State University of New York campus and be nominated by a representative.

341.12 Eligibility to serve. In order to continue to serve as an officer, an individual must maintain eligibility to stand for election, in accordance with section 341.7 of this Part, must maintain a 2.25 cumulative GPA or higher, and must be enrolled at a State University of New York campus, *provided, however, that any officers serving in the spring 2020 semester shall remain in such positions until the fall 2020 election notwithstanding failure to meet eligibility requirements.* For the purposes of this section, eligibility to continue in service shall be determined at the end of each semester. Once eligibility is lost, it cannot be regained by transfer to a new institution.

341.13 Terms of office. Officers shall hold office for one year or until their successors are installed. This one-year term shall be from June 1st of the election year to May 31st of the following year; *provided, however, that any officers serving in the spring 2020 semester shall remain in such positions until the fall 2020 election.* Officers may serve no more than two terms per each office contingent upon the person's continued eligibility to serve as a member of the student assembly.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt this emergency rule as a permanent rule and will publish a notice of proposed rule making in the *State Register* at some future date. The emergency rule will expire June 27, 2020

Text of rule and any required statements and analyses may be obtained from: Lisa S. Campo, State University of New York, State University Plaza, Albany, NY 12246, (518) 320-1400, email: Lisa.Campo@SUNY.edu.

Regulatory Impact Statement

1. Statutory Authority: Education Law, Sections 355(2)(b) and 356(1). Section 355(2)(b) authorizes the State University Trustees to make and amend rules and regulations for the overall governance of the State University and institutions therein. Section 356(1) authorizes the State University Trustees to establish guidelines for the election of student members to college councils.

2. Legislative Objectives: The Legislature authorized the State University Trustees to make and to amend as necessary, rules and regulations, not inconsistent with law, for the government of the State University of the New York and the institutions comprising the SUNY System. By using this authority to require SUNY State-operated campuses to alter spring 2020 campus elections, the present measure is in accord with the public policy objectives of encouraging full-scale participation in campus student governance.

3. Needs and Benefits: The global public health crisis surrounding the COVID-19 disease outbreak has resulted in higher education institutions across the world suspending on-campus academic and residential activities to combat the spread of the virus. The directives of Governor Andrew M. Cuomo and the guidance of SUNY leadership have prioritized the health and safety of SUNY students and employees at campuses across the SUNY System by reducing instances where individuals may be at an increased risk for contracting the virus in residential or social settings. By reducing such opportunities for contact, campuses have shifted to online learning modules in lieu of traditional residential academic opportunities. Since students are away from their home campuses during the spring 2020 semester, students should retain the opportunity to participate in representative elections for student governance upon their return to campus.

4. Costs: No additional direct costs to the State.

5. Local Government Mandates: This action mandates that community colleges alter their procedures for selecting student members to community college boards of trustees in the spring 2020 elections, if such elections have not yet occurred.

6. Paperwork: No parties will experience any new reporting responsibilities.

7. Duplication: None.

8. Alternatives: No significant alternative proposals were considered.

9. Federal Standards: None.

10. Compliance Schedule: It is anticipated that SUNY State-operated campuses will be able to come into compliance with this rule immediately upon enactment.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on small businesses and local governments. This proposed rule making will not impose any adverse economic impact on small businesses and local governments or impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments.

Rural Area Flexibility Analysis

No rural area flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on rural areas. The rule will not impose any adverse economic impact on rural areas or impose any reporting, recordkeeping, professional services or other compliance requirements on rural areas.

Job Impact Statement

No job impact statement is submitted with this notice because the proposed rule does not impose any adverse economic impact on existing jobs, employment opportunities, or self-employment. This regulation governs Student Assembly Elections, Student Assembly Officers, Campus Government Elections, and Student Activity Fees for State University of New York and will not have any adverse impact on the number of jobs or employment.

Workers' Compensation Board

EMERGENCY RULE MAKING

Adding COVID-19 Virus as a Serious Health Condition for the Purposes of Paid Family Leave

I.D. No. WCB-15-20-00007-E

Filing No. 250

Filing Date: 2020-03-27

Effective Date: 2020-03-27

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

Action taken: Amendment of section 355.9 of Title 12 NYCRR.

Statutory authority: Workers' Compensation Law, section 117

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

Specific reasons underlying the finding of necessity: This amendment is adopted as an emergency measure because the Board wants to ensure there are not unnecessary disputes regarding Paid Family Leave due to the outbreak of COVID-19 by clarifying that COVID-19 should be considered an serious health condition for the purposes of family leave.

Subject: Adding COVID-19 virus as a serious health condition for the purposes of Paid Family Leave.

Purpose: The clarify that employees may take family leave to care for a family member with COVID-19 virus.

Text of emergency rule: Paragraph (16) of subdivision (a) of section 355.9 of Title 12 NYCRR is hereby amended to read as follows:

(16) Serious health condition means an illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential health care facility; or continuing treatment or continuing supervision by a health care provider. *Serious health condition also means a COVID-19 diagnosis by a health care provider.*

(i) As used in this Title, continuing treatment or continuing supervision by a health care provider means one or more of the following:

(a) A period of more than three consecutive, full days during which a family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated due to illness, injury, impairment, or physical or mental conditions, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

(1) Treatment two or more times by a health care provider; or

(2) Treatment on at least one occasion by a health care provider, which results in a regimen of continuing treatment under the supervision of the health care provider.

(b) Any period during which a family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated due to a chronic serious health condition. A chronic serious health condition is one which:

(1) Requires periodic visits for treatment by a health care provider;

(2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and

(3) May cause episodic rather than a continuing period of incapacity. Examples of such episodic incapacity include but are not limited to asthma, diabetes, and epilepsy.

(c) A long-term or permanent period during which a family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated due to an illness, injury, impairment, or physical or mental condition for which treatment may not be effective. The family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include, but are not limited to, Alzheimer's, a severe stroke, or the terminal stages of a disease.

(d) A period during which a family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated because he or she is receiving treatment (including any period of recovery therefrom) by a health care provider for:

(1) Restorative surgery after an accident or other injury; or

(2) A condition that would likely result in a period of incapacity of more than three consecutive full days in the absence of medical intervention or treatment. Examples include, but are not limited to, cancer (e.g., chemotherapy and radiation), severe arthritis (physical therapy), or kidney disease (dialysis).

(ii) As used in this Title, the term treatment includes, but is not limited to, examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine examinations. Examples of a regimen of continuing treatment includes, but is not limited to, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications (e.g., aspirin, antihistamines, or salves), bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of leave under this Title.

(iii) Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not serious health conditions unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for leave under this Title. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions, provided all the other conditions of this paragraph are met. Mental illness or allergies may be serious health conditions, but only if all the conditions of this paragraph are met.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires June 24, 2020.

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

Regulatory Impact Statement

1. Statutory authority: WCL § 117(1) and 142 authorizes the Chair of the Workers' Compensation Board (Board) to adopt reasonable rules consistent with, and supplemental to, the provisions of the WCL.

2. Legislative objectives: The emergency adoption expands the definition of "serious health condition" to allow employees to take these benefits when the employee's family member has contracted COVID-19.

3. Needs and benefits: The emergency adoption clarifies that when the employee's family member has contracted COVID-19 and needs to be cared for and provides needed financial security.

4. Costs: The emergency adoption will reduce the frictional costs associated to having to litigate this position.

5. Local government mandates: The proposed amendments do not impose any additional program, service, duty, or responsibility upon any county, city, town, village, school district, fire district, or other special district – they simply require employers not to abridge the right of eligible employees to take PFL.

6. Paperwork: The emergency adoption requires eligible employees to file applications if they want to take leave for this reason.

7. Duplication: The emergency adoption does not duplicate other regulatory initiatives.

8. Alternatives: An alternative would be to not file an emergency adoption addressing disability and PFL benefits. However, this poses a risk that some insurance carriers will incorrectly deny these claims and delay benefits.

9. Federal standards. There are no applicable Federal Standards.

10. Compliance schedule: The emergency adoption takes effect immediately upon filing.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required because the emergency adoption will not have any adverse economic impact or impose any new reporting, recordkeeping or other compliance requirements on small businesses or local governments. The emergency adoption provides benefits for employees who are caring for their family member.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not required because the emergency adoption will not have any impact rural areas. The emergency adoption provides benefits for employees who are caring for their family member.

Job Impact Statement

A Job Impact Statement is not required because the emergency adoption will not have any impact on jobs or employment opportunities. The emergency adoption provides benefits for employees who are caring for their family member.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Education Department		
EDU-11-20-00013-P	Special education impartial hearing officers and the special education due process system procedures	1411 Broadway, New York, NY—May 18, 2020, 10:00 a.m. ACCES/VR, 80 Wolf Rd., Suite 200, Albany, NY—June 11, 2020, 10:00 a.m. Monroe 2—Orleans BOCES, 160 Wallace Way, Bldg. 9, Rochester, NY—June 11, 2020, 10:00 a.m.
Long Island Power Authority		
LPA-09-20-00009-P	LIPA’s tariff for buy-back service (Service Classification No. 11)	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-000010-P	To update and implement latest requirements for ESCOs proposing to do business within the authority’s service territory	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-000011-P	The modification of service classification No. 13 - Negotiated Contracts	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-000012-P	The smart grid small generator interconnection procedures	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-000013-P	The Long Island choice provisions of the authority’s tariff	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	00001	P

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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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-12-20-00006-P 03/25/21	Calibrating and testing of certain weights and measures standards and devices.	To allow the Dept. to increase the fees it charges in calibrating and testing certain weights & measures standards and devices.
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ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-10-20-00002-P 03/11/21	Credentialing of addiction professionals	Outlines the regulatory requirements for persons seeking credentialing as an addiction professional
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AUDIT AND CONTROL, DEPARTMENT OF

AAC-07-20-00012-P 02/18/21	Approval of contracts made by MTA and the NYCTA	Modify existing time frames for the approval of MTA and NYCTA contracts to conform with the MTA Reform and Traffic Mobility Act
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CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-39-19-00005-ERP 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
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CFS-39-19-00007-ERP 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.
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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.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-46-19-00002-P	11/12/20	Behavioral health services, elimination of room isolation and authority to operate de-escalation rooms	To implement standards for behavioral health services and the operation of de-escalation rooms and to eliminate room isolation
CFS-49-19-00001-P	12/03/20	Limits on executive compensation	To remove the soft cap limit on executive compensation
CFS-04-20-00009-P	01/28/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.
CFS-06-20-00021-EP	02/11/21	Categories of relatives eligible to become a foster parent of a child in non-relative foster care.	Regulations are necessary to comply with legislative changes to Family Court Act section 1028-a by Ch. 434 of L. 2019.
CIVIL SERVICE, DEPARTMENT OF			
CVS-25-19-00006-P	06/18/20	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-34-19-00011-P	08/20/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-42-19-00010-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-42-19-00014-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt 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-42-19-00023-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00024-P	10/15/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
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-45-19-00009-P	11/05/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00002-P	12/17/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-51-19-00003-P	12/17/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-51-19-00004-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00005-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00006-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00007-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00008-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00009-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00010-P	12/17/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-51-19-00011-P	12/17/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00012-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00013-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00014-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00003-P	01/21/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00004-P	01/21/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-03-20-00005-P	01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-03-20-00006-P	01/21/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-03-20-00007-P	01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-06-20-00001-P	02/11/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-20-00002-P	02/11/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-06-20-00003-P	02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00004-P	02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00005-P	02/11/21	Jurisdictional Classification	To delete positions from the non-competitive class

Action Pending Index

NYS Register/April 15, 2020

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-06-20-00006-P	02/11/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-20-00007-P	02/11/21	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-06-20-00008-P	02/11/21	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
CVS-13-20-00002-P	04/01/21	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2020
CVS-13-20-00009-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00010-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00011-P	04/01/21	Jurisdictional Classification	To delete positions from the exempt class
CVS-13-20-00012-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00013-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00014-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00015-P	04/01/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-13-20-00016-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00017-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00018-P	04/01/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-20-00019-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00020-P	04/01/21	Jurisdictional Classification	To delete positions in the non-competitive class
CVS-13-20-00021-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00022-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00023-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00024-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes.
CVS-13-20-00025-P	04/01/21	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTION, STATE COMMISSION OF			
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.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-21-19-00014-P	05/21/20	Adolescent Offender Facilities	To reclassify two existing correctional facilities to adolescent offender facilities.
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
CCS-50-19-00002-P	12/10/20	Raise the Age	To update each correctional facility's regulation as a direct result of the Raise the Age legislation
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-30-19-00010-ERP	07/23/20	Use of Force	Set forth use of force reporting and recordkeeping procedures
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-09-20-00007-P	03/04/21	Minority and Women-Owned Business Enterprise Program	Update the regulations of the Division of Minority and Women's Business Development
EDV-10-20-00001-P	03/11/21	Empire state entertainment diversity job training development program	To implement the administrative processes for the entertainment diversity job training development program
EDUCATION DEPARTMENT			
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-39-19-00009-RP	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-43-19-00012-ERP	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
EDU-52-19-00007-P	12/23/20	Update Provisions Relating to Pupil Transportation	To update provisions of the Commissioner's Regulations relating to pupil transportation
EDU-52-19-00008-EP	12/23/20	Restricted License for Clinical Laboratory Technologist	Implement chapter 227 of 2019 by adding toxicology to the category of restricted licenses for clinical laboratory technologists
EDU-52-19-00009-EP	12/23/20	Continuing Education in the Profession of Public Accountancy	Implement the provisions of chapter 413 of the Laws of 2018

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-52-19-00010-EP	12/23/20	Duties and responsibilities of the counsel of the State Education Department	To designate counsel as the deputy commissioner of education as specified in Education Law, section 101
EDU-04-20-00005-P	01/28/21	Residency Program Requirement for Dental Licensure	Adds dental anesthesiology to the list of accredited residency programs in a specialty of dentistry.
EDU-04-20-00006-P	01/28/21	Financial Transparency and Data Reporting Requirements for Charter Schools	To establish criteria and procedures relating to charter financial transparency reporting to ensure compliance with ESSA.
EDU-04-20-00007-P	01/28/21	Time Extension of Initial, Transitional and Provisional Certificates	To provide educators with a Time Extension after the issuance of their first Initial or Provisional certificate.
EDU-04-20-00008-EP	01/28/21	ESSA Financial Transparency Reporting Requirements.	To implement financial transparency reporting requirements of ESSA.
EDU-08-20-00007-P	02/25/21	The Practice of Psychology, Social Work and Mental Health Practitioner Professions	To implement part Y of chapter 57 of the laws of 2018
EDU-08-20-00008-P	02/25/21	The Composition of the Professional Standards and Practices Board for Teaching (PSPB)	To require the PSPB to have at least four members who are practicing, certified school building or district administrator
EDU-08-20-00009-P	02/25/21	Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships	To remove the two term limit for committee members to most effectively advise the Board of Regents and the Department
EDU-11-20-00013-P	03/23/21	Special Education Impartial Hearing Officers and the Special Education Due Process System Procedures	To address volume of special education due process complaints in the New York City due process system
EDU-11-20-00014-P	03/18/21	Local Government Records Management	To issue a new records retention and disposition schedule LGS-1
EDU-11-20-00015-EP	03/18/21	Military Ballots for School District and School District Public Library Elections, Budget, and Referenda	To implement chapter 489 of the Laws of 2019 which added section 2018-d to the Education Law
EDU-11-20-00016-P	03/18/21	Eligibility Requirements for Loan Forgiveness and Grant Programs	Conforms Commissioner's regulations to the DREAM Act relating to student's eligibility for loan forgiveness and grant programs

ELECTIONS, STATE BOARD OF

SBE-02-20-00002-P	01/14/21	Combine the 10 Day Post Primary Filing with the July 15th disclosure statement	This amendment combines the 10 Day Post Primary Filing with the July 15th disclosure statement that political committees file
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ELECTRIC GENERATION SITING AND THE ENVIRONMENT, NEW YORK STATE BOARD ON

EGS-09-20-00001-EP	03/04/21	Regulations Implementing Article 10 of the Public Service Law - Definitions.	To amend the regulatory definitions of "modification" and "revision" of an Article 10 application for a CECPN.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-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-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-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
ENV-53-19-00016-P	03/09/21	Certain substances that contain hydrofluorocarbons, highly-potent greenhouse gases	Remove greenhouse gas emission sources that endanger public health and the environment
ENV-04-20-00004-EP	01/28/21	Regulations governing commercial fishing of quota managed species.	To improve efficiency, reduce waste, and increase safety in marine commercial fisheries.
ENV-05-20-00001-P	04/10/21	Use of Ultra Low Sulfur Diesel Fuel and Best Available Retrofit Technology for Heavy Duty Vehicles	Updating to meet with statutory deadline
ENV-05-20-00002-P	04/10/21	Sulfur-in Fuel Limitations	Limit sulfur in liquid and solid fuels throughout NYS
ENV-06-20-00018-P	04/16/21	The repeal and replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles	To further reduce harmful volatile organic compounds (VOCs) emitted into the atmosphere.
ENV-06-20-00019-P	04/16/21	Consumer Products	Reduce Volatile Organic Compound emissions from Consumer Products - those products used in the average household.
ENV-06-20-00020-P	04/16/21	New Source Review requirements for proposed new major facilities and major modifications to existing facilities.	To conform to federal NSR rule requirements and related court rulings, correct typographical errors, and clarify rule language.
ENV-11-20-00002-P	03/18/21	Brookfield Trail System	To protect public safety and natural resources on the Brookfield Trail System
ENV-11-20-00004-EP	03/18/21	Management of sharks, squid and Atlantic cod	To revise regulations concerning size, trip, and possession limits for sharks, squid and Atlantic cod
ENV-12-20-00001-EP	03/25/21	Regulations governing commercial fishing of Tautog (blackfish).	To revise regulations concerning the commercial harvest of Tautog in New York State.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-14-20-00005-P	04/08/21	Chronic wasting disease.	Rectify an errant subdivision reference and reinstate sections of Part 189 that were inadvertently removed by a clerical error.
ENV-15-20-00015-EP	04/15/21	Regulations governing commercial and recreational fishing for striped bass.	To amend 6 NYCRR Parts 10 and 40 pertaining to commercial and recreational regulations for striped bass.
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-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-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-48-19-00002-P	11/26/20	SUPERINTENDENT'S REGULATIONS: INFORMATION SUBJECT TO CONFIDENTIAL TREATMENT	Provide rules concerning publication or disclosure of information subject to confidential treatment
DFS-51-19-00015-P	12/17/20	Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	Clarifying discriminatory activities prohibited by and coverages included within preventive care and screenings under the IL
DFS-53-19-00014-EP	12/30/20	Charges for Professional Health Services	To delay the effective date of the workers' compensation fee schedules for no-fault reimbursement.
DFS-01-20-00002-P	01/07/21	Certification of Compliance, Due Date	To amend the date by which Covered Entities must submit a certification of compliance, from February to April.
DFS-03-20-00011-EP	01/21/21	Valuation of Life Insurance Reserves; Recognition of the 2001 CSO Mortality Table and the 2017 CSO Mortality Table, et al	Prescribes 2001 CSO ultimate mortality for guaranteed issue policies issued on or after 1/1/20 and extends 2015 reserve relief
DFS-07-20-00015-P	02/18/21	Audited Financial Statements	To require insurers meeting a certain premium threshold to establish and maintain an internal audit function.
DFS-08-20-00011-P	02/25/21	Public Access to Department Records	To update regulations regarding public access to records of the Department of Financial Services
DFS-09-20-00008-P	03/04/21	Enterprise Risk Management and Own Risk and Solvency Assessment; Group-Wide Supervision	To authorize the Superintendent to act as the group-wide supervisor for an internationally active insurance groups
DFS-11-20-00001-P	03/18/21	Corporate Governance	To require an authorized insurer to adopt a corporate governance framework and file an annual disclosure

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-12-20-00002-EP	03/25/21	Reverse Mortgage Loans	To implement newly enacted Real Property Law section 280-b as soon as it goes into effect.
GAMING COMMISSION, NEW YORK STATE			
SGC-01-20-00006-P	01/07/21	Permit Thoroughbred horses with digital tattoos to race in New York	To promote the integrity of racing and derive a reasonable return for government
SGC-07-20-00002-P	02/18/21	Allow claimant to void claim of lame horse	To enhance horse health and safety in thoroughbred racing
SGC-07-20-00003-P	02/18/21	Spanish 21, a blackjack variant to be offered in commercial casinos.	To set forth the practices and procedures for the operation of Spanish 21 as a casino table game.
SGC-07-20-00004-P	02/18/21	Relating to the provision of social security numbers.	Limit collection of social security numbers.
SGC-07-20-00014-P	02/18/21	Thoroughbred pick-five and pick-six wagers.	To improve the pick-five and pick-six wagers in thoroughbred racing.
SGC-11-20-00012-P	03/18/21	Joint injections in Thoroughbred racing	To improve integrity, health and safety of Thoroughbred horse racing
GENERAL SERVICES, OFFICE OF			
GNS-40-19-00005-P	10/01/20	Facility Use	To add "plastic knuckles" and remove "gravity knife" from the definition of "deadly weapon"
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-30-19-00006-RP	07/23/20	Maximum Contaminant Levels (MCLs)	Incorporating MCLs for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and 1,4-dioxane.
HLT-36-19-00006-P	09/03/20	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.
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-46-19-00003-P	11/12/20	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
HLT-47-19-00008-P	11/19/20	Hospital Medical Staff - Limited Permit Holders	To repeal extra years of training required for limited permit holders to work in New York State hospitals.
HLT-47-19-00009-P	11/19/20	Empire Clinical Research Investigator Program (ECRIP)	To expand the types of & change the time frames for past research grants that qualify staff to supervise the ECRIP project.
HLT-51-19-00001-P	12/17/20	Women, Infants and Children (WIC) Program	To support implementation of eWIC; clarify rules for violations, penalties & hearings & conform vendor authorization criteria.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-53-19-00001-P	12/30/20	Prohibition on the Sale of Electronic Liquids with Characterizing Flavors	To prohibit the sale of electronic liquids with characterizing flavors
HLT-53-19-00011-P	12/30/20	Cardiac Services	To amend existing Certificate of Need requirements for approval of adult cardiac surgery centers.
HLT-53-19-00012-P	12/30/20	Consumer Directed Personal Assistance Program Reimbursement	To establish a program to pay home care services & establish a methodology framework for the payment of FI administrative costs.
HLT-04-20-00002-P	01/28/21	Reducing Annual Tuberculosis Testing of Health Care Workers	To replace annual tuberculosis testing of health care workers.
HLT-04-20-00003-P	01/28/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
HLT-04-20-00011-P	01/28/21	Nursing Home Case Mix Rationalization	To authorize the Department of Health to change the case mix acuity process for all nursing homes.
HLT-04-20-00012-P	01/28/21	State Aid for Public Health Services: Counties and Cities	Clarifying State Aid payments for maintaining a cooling tower program.
HLT-08-20-00001-EP	02/25/21	Communicable Diseases Reporting and Control - Adding Severe or Novel Coronavirus	To require physicians, hospitals, nursing homes, D&TCs and clinical laboratories to report instances of severe or novel coronavirus
HLT-11-20-00003-P	03/18/21	Adult Day Health Care (ADHC)	To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program
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.
HOUSING FINANCE AGENCY			
HFA-21-19-00020-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
HUMAN RIGHTS, DIVISION OF			
HRT-27-19-00002-P	07/02/20	Gender Identity or Expression Discrimination	To conform the Division's regulations with Executive Law as amended by Chapter 8 of the Laws of New York 2019.
LABOR, DEPARTMENT OF			
LAB-46-19-00004-P	11/12/20	NY State Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards
LAB-03-20-00012-P	01/21/21	Minimum Wage Tip Allowances	Amendment of regulations governing tip allowances in the Miscellaneous Industries Wage Order

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LAW, DEPARTMENT OF			
LAW-15-20-00017-P	04/15/21	investment advisers defined under GBL § 359-eee	Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.
LAW-15-20-00018-P	04/15/21	Brokers, dealers and salespersons defined under GBL § 359-e	Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
LPA-47-19-00017-P	exempt	VDER, net metering, and community distributed generation	To update the Authority's tariff for consistency with the Public Service Commission, Department of Public Service, and CLCPA.
LPA-09-20-00009-P	exempt	LIPA's Tariff for Buy-Back Service (Service Classification No. 11)	To add a new Feed-In Tariff to supply the newly proposed Solar Communities program
LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
LPA-09-20-00011-P	exempt	The modification of Service Classification No. 13 - Negotiated Contracts	To update the Authority's Tariff and authorize a negotiated contract with the Suffolk County Department of Public Works
LPA-09-20-00012-P	exempt	The Smart Grid Small Generator Interconnection Procedures	To be consistent with the New York State Standardized Interconnection Requirements
LPA-09-20-00013-P	exempt	The Long Island Choice provisions of the Authority's Tariff.	To enable CCA formation within the Long Island Choice Program.

Action Pending Index**NYS Register/April 15, 2020**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MENTAL HEALTH, OFFICE OF			
OMH-46-19-00005-P	11/12/20	Definition of "Case record, clinical record, medical record or patient record"	To clarify that the agency does not consider the provision to apply to the definition of "record" as set forth in MHL 9.01
OMH-47-19-00001-P	11/19/20	Limits on Executive Compensation	To eliminate "soft cap" restrictions on compensation.
OMH-12-20-00003-P	03/25/21	Uncompensated care funds issued pursuant to the Indigent Care Program.	To ensure the appropriate allocation of uncompensated care funds.
METROPOLITAN TRANSPORTATION AGENCY			
MTA-23-19-00006-EP	06/04/20	Debarment of contractors	To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors
MOTOR VEHICLES, DEPARTMENT OF			
MTV-07-20-00005-P	02/18/21	Electronic transmission of data by dismantlers and scrap processors	To establish procedures for the electronic transmission of data by dismantlers and scrap processors
MTV-12-20-00005-P	03/25/21	Establishes an Internet Prelicensing Course.	conforms regulation with statute.
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-06-20-00009-EP	02/11/21	Creates Extended Treatment Units	To provide service and supports for individuals in crisis
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynege to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynege to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
*PSC-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*PSC-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-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-45-18-00005-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-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-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
*PSC-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-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-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
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-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-31-19-00011-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
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-31-19-00015-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-32-19-00008-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
PSC-32-19-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-34-19-00020-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-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-36-19-00011-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-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-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-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-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-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
PUBLIC SERVICE COMMISSION			
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.
PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
PSC-46-19-00010-P	..... exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
PSC-47-19-00011-P	..... exempt	Waiver of National Grid's code of conduct to allow for use of its name.	To determine if it is in the public interest to allow for the use of National Grid's name in the weatherization program.
PSC-48-19-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-19-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-19-00007-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.
PSC-50-19-00004-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-50-19-00006-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-52-19-00001-P	..... exempt	SUEZ Water New York Inc.'s acquisition of 100% of Heritage Hills Water Works Corporation's assets.	To determine if the proposed acquisition is in the public interest.
PSC-52-19-00003-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-52-19-00005-P	..... exempt	Compensation of and rates for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
PSC-53-19-00006-P	..... exempt	To amend the terms to which the customer must abide when discontinuing gas service.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-53-19-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-01-20-00008-P	..... exempt	Request for waiver of 16 NYCRR § 96.5(k)(3).	To consider the request for waiver of the energy audit requirement requirement per 16 NYCRR 96.5(k)(3).
PSC-01-20-00010-P	..... exempt	Proposed transfer of water supply assets and dissolution of the Company.	To determine whether the transfer of water supply assets to the Town of North Collins is in the public interest.
PSC-02-20-00005-P	..... exempt	The 2020 Electric Emergency Response Plans for electric utilities subject to the provisions of PSL § 25-a	To consider the adequacy of the 2020 Electric Emergency Response Plans
PSC-02-20-00006-P	..... exempt	The application of the earnings sharing mechanism related to a partial year period.	To consider O&R's petition to modify the application of the earnings sharing mechanism.
PSC-03-20-00008-P	..... exempt	Authority to issue and sell unsecured debt obligations	To consider the Company's request for authority to issue and sell unsecured debt obligations
PSC-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
PSC-03-20-00010-P	..... exempt	Waivers of certain tariff provisions and terms of an agreement for the provision of service	Whether a proposed agreement for provision of service by Saratoga Water Services, Inc. is in the public interest
PSC-04-20-00010-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of Comunilife Woodhull HDFC for waiver of Opinion No. 76-17 and 16 NYCRR Part 96.
PSC-04-20-00014-P	..... exempt	Transfer of the Indian Point site, nuclear waste, and decommissioning and site restoration funds from Entergy to Holtec.	To protect the public interest.
PSC-05-20-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-05-20-00004-P	..... exempt	A statewide Make-Ready Program that that would provide incentives to deploy EVSE&I to charge light duty electric vehicles (EV).	To deploy the infrastructure needed to meet the State's goals of 850,000 EVs by 2025 and recommend appropriate utility roles.
PSC-05-20-00005-P	..... exempt	Wireline and wireless pole attachment rates.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-05-20-00006-P	..... exempt	Waiver of pipeline reassessment completion deadline while adequate tools to conduct inspection are found.	To ensure the safety of the Clove Lake Segment Pipeline with the use of adequate reassessment tools.
PSC-05-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-06-20-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00014-P	..... exempt	A program for the procurement of Renewable Energy Certificates from existing renewable resources.	To purchase Renewable Energy Certificates and maintain the State's baseline of existing renewable resources.
PSC-06-20-00015-P	..... exempt	New Tariff Schedule, P.S.C. No. 3 - Water and waiver of rate setting authority.	To provide the rates, rules, and regulations under which water service will be provided to the customers of the system.
PSC-06-20-00016-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-06-20-00017-P	..... exempt	Petitions for rehearing, reconsideration, clarification and stay of the December 12, 2019 Order.	To determine whether the Commission should grant, deny, or modify the relief sought and actions proposed by Petitioners
PSC-07-20-00006-P	..... exempt	Discontinuation of a program administered by Con Edison and removal of the program from the tariff.	Consider discontinuation of the Smart AC Kit Program.
PSC-07-20-00007-P	..... exempt	Procurement of environmental attributes associated with offshore wind resources.	To achieve the State's renewable and clean energy goals.
PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-20-00009-P	..... exempt	Transfer of street lighting facilities.	To consider whether the transfer of certain street lighting facilities is in the public interest.
PSC-07-20-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-20-00011-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Fallsburg.
PSC-08-20-00002-P	..... exempt	Transfer of stock resulting in a complete ownership transfer.	To determine whether the proposed transfer is in the public interest.
PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-08-20-00004-P	..... exempt	Waiver of provisions and service agreement.	To consider if the waiver and the proposed terms of a service agreement are in the public interest.
PSC-08-20-00005-P	..... exempt	The use funding for certain pipeline safety programs.	To ensure appropriate use of funds reserved for gas safety programs.
PSC-08-20-00006-P	..... exempt	To establish procedures and modify terminology for Underground Residential Distribution Systems.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-09-20-00002-P	..... exempt	Request for waiver of 16 NYCRR 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-09-20-00003-P	..... exempt	Proposed transfer of the Company's assets to the Town and dissolution of the Company.	To determine if transfer of the water system to the Town of North Greenbush is in the public interest.
PSC-09-20-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-09-20-00005-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-09-20-00006-P	..... exempt	Petition for the use of an electric meter in submetering applications.	Whether to permit the use of the GG electric meter in submetering applications in New York State.
PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
PSC-10-20-00004-P	..... exempt	Recovery of extraordinary repair expenses and establishment of an escrow account.	To consider if the proposed escrow account is in the public interest.
PSC-10-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Family Energy, Inc. should be granted a waiver to offer two "green gas" products to mass market customers.
PSC-10-20-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-20-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-20-00007-P	..... exempt	Deferral and recovery of incremental costs and establishment of an extraordinary repair escrow account.	To consider deferring costs related to water main leak repairs for subsequent recovery and establishment of an escrow account.
PSC-11-20-00008-P	..... exempt	Revisions to the proration tariff language.	To consider revisions to the proration tariff language under Leaf 18.1, 18 61 to 64 and Leaf 69.
PSC-11-20-00009-P	..... exempt	Proposed transfer of water supply assets.	To determine whether the transfer of assets from Whitlock to NYAW is in the public interest.
PSC-11-20-00010-P	..... exempt	The proposed transfer of ownership interests in an existing transmission line.	Consideration of whether the proposed transfer is in the public interest.
PSC-11-20-00011-P	..... exempt	Application of the Public Service Law to owners of a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To determine whether to apply a lightened regulatory regime to the owners of a proposed 345 kV transmission line.
PSC-12-20-00007-P	..... exempt	Request for waiver of tariff provision.	Consideration of a request for waiver of tariff provision.
PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation.	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-12-20-00009-P	..... exempt	Clarify language regarding treatment of multi-unit buildings in CDG projects.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-12-20-00010-P	..... exempt	Direct Energy, LLC's Green Gas Products.	To consider whether Direct Energy, LLC should be allowed to offer two Green Gas Products to mass market customers.
PSC-12-20-00011-P	..... exempt	Sale of facilities.	To consider whether the sale of facilities is in the public interest.
PSC-12-20-00012-P	..... exempt	Transfer of street lighting facilities.	Consideration of petition by NYSEG for transfer of assets to the City of Ithaca.
PSC-12-20-00013-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00014-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00015-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00016-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00017-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00018-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00019-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00020-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00021-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-12-20-00022-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-13-20-00006-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-13-20-00007-P	..... exempt	Request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate energy efficiency protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-13-20-00008-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Village of Lancaster.
PSC-15-20-00001-EP	..... exempt	Suspension of tariff fees associated with certain suspended activities and services.	To assist customers in a time of hardship.
PSC-15-20-00002-EP	..... exempt	Postponement of a rate increase.	To assist customers in a time of hardship.
PSC-15-20-00003-EP	..... exempt	Postponement of a rate increase.	To assist customers in a time of hardship.
PSC-15-20-00004-EP	..... exempt	Postponement of the annual update of the low income discount credits.	To assist customers in a time of hardship.
PSC-15-20-00005-EP	..... exempt	Postponement of delivery rate and System Improvement Charge (SIC) increases and implementation of a make whole surcharge.	To assist customers in a time of hardship.
PSC-15-20-00006-EP	..... exempt	Suspension of tariff fees associated with certain suspended activities and services.	To assist customers in a time of hardship.
PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators.
PSC-15-20-00012-P	..... exempt	Tariff filing.	To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.
PSC-15-20-00013-P	..... exempt	Ownership of New York American Water Company, Inc.	To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.
PSC-15-20-00014-P	..... exempt	Tariff filing.	To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.
PSC-15-20-00016-EP	..... exempt	Amendment of tariff modifying cash-out rules and potential penalties.	To ensure gas system reliability and safety.
STATE, DEPARTMENT OF			
DOS-42-19-00001-P	..... 10/15/20	Real estate advertisements	To update current regulations concerning real estate advertisements
DOS-02-20-00003-P	..... 01/14/21	Enhanced fair housing provisions	To provide additional notices and other enhancements relating to fair housing and the Human Rights Law
STATE UNIVERSITY OF NEW YORK			
SUN-53-19-00002-P	..... 12/30/20	Proposed amendments to the traffic and parking regulations at State University of New York College at Old Westbury	Amend existing regulations to update traffic and parking regulations
SUN-53-19-00005-P	..... 12/30/20	Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville	Amend existing regulations to update traffic and parking regulations
SUN-14-20-00001-P	..... 04/08/21	Proposed amendments to the traffic and parking regulations at State University of New York System Administration.	Amend existing regulations to update traffic and parking regulations.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-02-20-00001-EP	..... 01/14/21	Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures	To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts
TAF-07-20-00013-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period April 1, 2020 through June 30, 2020.
THRUWAY AUTHORITY, NEW YORK STATE			
THR-01-20-00003-P	..... 01/07/21	Toll rate adjustments on the New York State Thruway system.	To provide for toll rate adjustments necessary to support the Authority's financial obligations.
WORKERS' COMPENSATION BOARD			
WCB-31-19-00018-RP	..... 07/30/20	Medical Treatment Guidelines	Add guidelines for treatment of hip and groin, foot and ankle, elbow and occupational interstitial lung disease
WCB-37-19-00002-P	..... 09/10/20	Applications for Reopenings	Clarify the process for reopening a case that has been previously closed
WCB-11-20-00005-EP	..... 03/18/21	Updating the prescription drug formulary	To update the prescription drug formulary in response to continuous feedback

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

Altus Community Healthcare, LP
11233 Shadow Creek Pkwy., Suite 313, Pearland, TX 77584
Partnership — Altus Community Healthcare GP, LLC

Aquilo Capital LO, L.P.
One Letterman Dr., Suite D4900, Building D, The Presidio
Partnership — Aquilo Capital Management, LLC

Ascendant Capital Fund LP
c/o Ascendant Capital Partners LP, 11777 San Vicente Blvd., Suite
650, Los Angeles, CA
Partnership — Ascendant Capital Partners GP LLC

BCP Infrastructure Fund, LP
400 Convention Street, Suite 1010, Baton Rouge, LA 70802
Partnership — BCP Infrastructure Fund GP, LP

BCP Infrastructure Fund-A, LP
400 Convention Street, Suite 1010, Baton Rouge, LA 70802
Partnership — BCP Infrastructure Fund GP, LP

Calida Strategic Acquisition Fund LP
10777 West Twain Ave., Suite 115, Las Vegas, NV 89135
Partnership — CSAF GP LLC

CS 1821 LLC
c/o Capital Solutions, Inc., 910 Harvest Dr., Suite 105, Blue Bell, PA
19422
State or country in which incorporated — Delaware

Dermody Properties Industrial Fund III L.P.
5500 Equity Ave., Reno, NV 89502
Partnership — Dermody GP III, LLC

Dermody Properties Industrial Parallel Fund III L.P.
5500 Equity Ave., Reno, NV 89502
Partnership — Dermody GP III, LLC

Flint Hills Kissner Co-Invest 2020 L.P.
4900 Main St., Kansas City, MO 64112
Partnership — PCM Capital - Kissner C-Invest 2020 LLC

Gemspring Capital Fund II, LP
54 Wilton Rd., Westport, CT 06880
Partnership — Gemspring Capital GP II, LP

Gemspring Capital Fund II-A, LP
54 Wilton Rd., Westport, CT 06880
Partnership — Gemspring Capital GP II, LP

Gryphon Heritage Partners, L.P.
One Maritime Plaza, Suite 2300, San Francisco, CA94111
Partnership — Gryphon Heritage GenPar, L.P.

Gryphon Heritage Partners A, L.P.
One Maritime Plaza, Suite 2300, San Francisco, CA94111
Partnership — Gryphon Heritage GenPar, L.P.

Gryphon Partners VI, L.P.
One Maritime Plaza, Suite 2300, San Francisco, CA94111
Partnership — Gryphon GenPar VI, L.P.

Gryphon Partners VI-A, L.P.
One Maritime Plaza, Suite 2300, San Francisco, CA94111
Partnership — Gryphon GenPar VI, L.P.

HG Holdings, Inc.
2115 E. 7th St., Suite 101, Charlotte, NC 28204
State or country in which incorporated — Delaware

Leeds Equity Partners VII, L.P.
590 Madison Ave., 41st Fl., New York, NY 10022
Partnership — Leeds Equity Associates VII, L.P.

Leeds Equity Partners VII-A, L.P.
590 Madison Ave., 41st Fl., New York, NY 10022
Partnership — Leeds Equity Associates VII, L.P.

Liquid Wire Inc.
8320 SW Nimbus Ave., Beaverton, OR 97008
State or country in which incorporated — Oregon

Lot's Wife LLC
630 9th Ave., Suite 800, New York, NY 10036
State or country in which incorporated — Delaware LLC

OW Land, LLC
900 Route 9 N, Suite 400, Woodbridge, NJ 07095
State or country in which incorporated — Delaware

Palo Alto Healthcare Offshore II Ltd.
c/o Walkers, Cayman Corporate Center, 27 Hospital Rd., George
Town, Grand Cayman, KY1-9008 Cayman Islands
State or country in which incorporated — Cayman Islands

Rhino Investment Holdings LLC
40 Duncan Lane, Skillman, NJ 08558
Partnership — Rhino Investment Manager LLC

Rhino Investment Holdings—A LLC
40 Duncan Lane, Skillman, NJ 08558
Partnership — Rhino Investment Manager LLC

Sharestates Investments, LLC
45 N. Station Plaza, Suite 400, Great Neck, NY 11021
State or country in which incorporated — Delaware

Source Holdings Health, Inc.
16192 Coastal Hwy., Lewes, DE 19958
State or country in which incorporated — Delaware

STG ST, L.P.
5428 University Ave., Palo Alto, CA 94301
Partnership — STG ST, LP

Summit Partners Europe Growth Equity Fund III, SCSp
222 Berkeley St., 18th Fl, Boston, MA 02116
Partnership — Summit Partners Europe III, S.a r.l.

Summit Partners Europe Growth Equity Investors III, SCSp
222 Berkeley St., 18th Fl, Boston, MA 02116
Partnership — Summit Partners Europe III, S.a r.l.

VPC Offshore Specialty Finance Fund III, L.P.
150 N. Riverside Plaza, Suite 5200, Chicago, IL 60606
Partnership — VPC Specialty Finance Fund GP III, L.P.

VPC Offshore Specialty Finance Fund Feeder III, L.P.
150 N. Riverside Plaza, Suite 5200, Chicago, IL 60606
Partnership — VPC Specialty Finance Fund GP III, L.P.

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

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

PUBLIC NOTICE

New York City Deferred Compensation Plan & NYCE IRA

The New York City Deferred Compensation Plan & NYCE IRA (the "Plan") is seeking proposals from qualified vendors to provide master custodial services to the City of New York Deferred Compensation Plan. The Request for Proposals ("RFP") will be available beginning on Wednesday, March 18, 2020. Responses are due no later than 4:30 p.m. Eastern Time on Thursday, May 28, 2020. To obtain a copy of the RFP, please visit the Plan's web site at www1.nyc.gov/site/olr/about/about-rfp.page and download and review the applicable documents.

If you have any questions, please submit them by fax to Georgette Gestely, Director, at (212) 306-7376.

Consistent with the policies expressed by the City, proposals from certified minority-owned and/or women-owned businesses or proposals that include partnering arrangements with certified minority-owned and/or women-owned firms are encouraged. Additionally, proposals from small and New York City-based businesses are also encouraged.

PUBLIC NOTICE

Department of State
F-2016-1155

Date of Issuance - April 15, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The Department of State is considering engaging with the US Army Corps of Engineers, Buffalo District, to alter the terms of the Department's Conditional Objection regarding the 2017 Nationwide Permit Program.

In F-2016-155 the Department of State issued a conditional objec-

tion regarding the 2017 Nationwide Permit Program. High water levels in the Great Lakes have resulted in the Department temporarily amending its decision to allow for certain maintenance actions. The Department is considering amending its decision again to recognize the intent of the NYS Department of Environmental Conservation's General Permit GP-0-20-004.

The Department of Environmental Conservation's General Permit GP-0-20-004 is available for review at: www.dec.ny.gov/enb/20200401_reg0.html

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice or April 30, 2020.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: matthew.maraglio@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State

F-2020-0134

Date of Issuance - April 15, 2020

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-2020-0134, Jared Bartholomew proposes to construct an elevated fixed catwalk with access stairs, aluminum ramp, and float dock for water-related recreation at his property, on the south end of Briana Court, East Moriches, NY, 11940. Tidal wetlands associated with Harts Cove are present along the south of the parcel.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0134consistencycert-PN.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, NY.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, April 30, 2020.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State

F-2020 - 0139

Date of Issuance - April 22, 2020

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-2020-0139, NYS Office of Parks Recreation and Historic Preservation is proposing to install new 10,000 L.F. water main with service connections in Rockland Lake State Park, 299 Rockland Lake Road, Valley Cottage, NY 10989. The water main will include associated systems, hydrants for park facilities and connected residences. The distribution piping is proposed to be constructed on the north side of the Lake, generally parallel to Rockland Lake Rd., Dr. Davies Road and Knickerbocker Road. A portion of the main will be drilled under an on-site stream.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0139consistencycert-PN.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, NY.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, May 7, 2020.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State

F-2020 -0169

Date of Issuance - April 15, 2020

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-2020-0169, Riverkeeper, Inc. is proposing to remove the Strooks Felt Dam, and place cobbles and gravel in-situ on remaining retaining wall to restore fish passage in Quassaick Creek, partially located in the City of Newburg and the Town of Windsor. The site can be accessed downslope at the widest point of a gravel road originating at 1 Water Street in the City of Newburgh in Orange County, NY.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0169consistencycert-PN.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, NY.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, April 30, 2020.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State

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.

2020-0168 Matter of Brookhaven Expeditors, Andrew Malguarnera, 713 Main Street, Port Jefferson, NY 11777, for a variance concerning safety requirements, including The Height Under A Girder/Soffit. Involved is an Existing One Family Dwelling located at 3 Johnson Street; Town of Brookhaven, NY 11776 County of Suffolk, State of New York.

2020-0169 Matter of Pallino Properties, Daniel Pallino, 932 Middle Country Rd., Saint James, NY 11780, for a variance concerning safety requirements, including The Height Under A Girder/Soffit. Involved is an Existing One Family Dwelling located at 33 Yava Street; Town of Brookhaven, NY 11776 County of Suffolk, State of New York.

PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

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

2020-0176 In the matter of Khadija Muday, 1014 Bleeker Street, Utica NY 13501 for a variance concerning requirements for self-closing apartment doors, self-closing fire-rated cellar door and fire retarded cellar ceiling.

Involved is an existing Multiple Residence occupancy, three stories in height, located at 1014 Bleeker Street, City of Utica, County of Oneida, New York.

PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

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

2020-0180 In the matter of SWBR Architects, Steven Fernaays, 387 East Main Street, Rochester, NY 14604, for Cornell University concerning building code and fire safety requirements including the

use of fire barriers in lieu of fire walls to regulate existing construction as separate buildings.

Involved are alterations and addition to existing combined buildings known as “Bard Hall from Thurston and Kimball Hall”, located at Cornell University, 126 Hollister Drive, City of Ithaca, County of Tompkins, New York.

EXECUTIVE ORDERS

Executive Order No. 202.7: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

WHEREAS, in order to facilitate the most timely and effective response to the COVID 19 emergency disaster, it is critical for New York State to be able to act quickly to gather, coordinate, and deploy goods, services, professionals, and volunteers of all kinds; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-8 of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 18, 2020 the following:

- The suspensions made to the Public Officer's Law, including provisions of Section 73 and Section 74, by Executive Order 202.6 are hereby modified to require that such suspensions and modifications shall only be valid with respect to a person hired for a nominal or no salary or in a volunteer capacity.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 18, 2020:

- Any notarial act that is required under New York State law is authorized to be performed utilizing audio-video technology provided that the following conditions are met:
 - The person seeking the Notary's services, if not personally known to the Notary, must present valid photo ID to the Notary during the video conference, not merely transmit it prior to or after;
 - The video conference must allow for direct interaction between the person and the Notary (e.g. no pre-recorded videos of the person signing);
 - The person must affirmatively represent that he or she is physically situated in the State of New York;
 - The person must transmit by fax or electronic means a legible copy of the signed document directly to the Notary on the same date it was signed;
 - The Notary may notarize the transmitted copy of the document and transmit the same back to the person; and
 - The Notary may repeat the notarization of the original signed document as of the date of execution provided the Notary receives such original signed document together with the electronically notarized copy within thirty days after the date of execution.
- Effective March 21, 2020 at 8 p.m. and until further notice, all barbershops, hair salons, tattoo or piercing parlors and related

personal care services will be closed to members of the public. This shall also include nail technicians, cosmetologists and estheticians, and the provision of electrolysis, laser hair removal services; as these services cannot be provided while maintaining social distance.

- The provisions of Executive Order 202.6 requiring in-person work environment restrictions are modified as follows: Effective March 21, 2020 at 8 p.m. and until further notice all businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Each employer shall reduce the in-person workforce at any work locations by 75% no later than March 21 at 8 p.m. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this nineteenth day of March in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 202.8: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

WHEREAS, in order to facilitate the most timely and effective response to the COVID-19 emergency disaster, it is critical for New York State to be able to act quickly to gather, coordinate, and deploy goods, services, professionals, and volunteers of all kinds; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 19, 2020 the following:

- In accordance with the directive of the Chief Judge of the State to limit court operations to essential matters during the pendency of the COVID-19 health crisis, any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate's court procedure act, and the uniform court acts, or by

any other statute, local law, ordinance, order, rule, or regulation, or part thereof, is hereby tolled from the date of this executive order until April 19, 2020;

Subdivision 1 of Section 503 of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a driver's license, in order to extend for the duration of this executive order the validity of driver's licenses that expire on or after March 1, 2020;

- Subdivision 1 of Section 491 of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a non-driver identification card, in order to extend for the duration of this executive order the validity of non-driver identification cards that expire on or after March 1, 2020;
- Sections 401, 410, 2222, 2251, 2261, and 2282(4) of the Vehicle and Traffic law, to the extent that it provides for a period of validity and expiration of a registration certificate or number plate for a motor vehicle or trailer, a motorcycle, a snowmobile, a vessel, a limited use vehicle, and an all terrain vehicle, respectively, in order to extend for the duration of this executive order the validity of such registration certificate or number plate that expires on or after March 1, 2020;
- Section 420-a of the vehicle and traffic law to the extent that it provides an expiration for temporary registration documents issued by auto dealers to extend the validity of such during the duration of this executive order.
- Subsection (a) of Section 602 and subsections (a) and (b) of Section 605 of the Business Corporation Law, to the extent they require meetings of shareholders to be noticed and held at a physical location.

NOW, THEREFORE, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 19, 2020:

- The provisions of Executive Order 202.6 are hereby modified to read as follows: Effective on March 22 at 8 p.m.: All businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Each employer shall reduce the in-person workforce at any work locations by 100% no later than March 22 at 8 p.m. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function. Any business violating the above order shall be subject to enforcement as if this were a violation of an order pursuant to section 12 of the Public Health Law.
- There shall be no enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of ninety days.
- Effective at 8 p.m. March 20, any appointment that is in-person at any state or county department of motor vehicles is cancelled, and until further notice, only on-line transactions will be permitted.
- The authority of the Commissioner of Taxation and Finance to abate late filing and payment penalties pursuant to section 1145 of the Tax Law is hereby expanded to also authorize abatement of interest, for a period of 60 days for a taxpayers who are required to file returns and remit sales and use taxes by March 20, 2020, for the sales tax quarterly period that ended February 29, 2020.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twentieth day of March in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 202.9: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

WHEREAS, in order to facilitate the most timely and effective response to the COVID-19 emergency disaster, it is critical for New York State to be able to act quickly to gather, coordinate, and deploy goods, services, professionals, and volunteers of all kinds; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 20, 2020 the following:

- Subdivision two of Section 39 of the Banking Law is hereby modified to provide that it shall be deemed an unsafe and unsound business practice if, in response to the COVID-19 pandemic, any bank which is subject to the jurisdiction of the Department shall not grant a forbearance to any person or business who has a financial hardship as a result of the COVID-19 pandemic for a period of ninety days.

NOW, THEREFORE, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 20, 2020:

- The Superintendent of the Department of Financial Services shall ensure under reasonable and prudent circumstances that any licensed or regulated entities provide to any consumer in the State of New York an opportunity for a forbearance of payments for a mortgage for any person or entity facing a financial hardship due to the COVID-19 pandemic. The Superintendent shall promulgate emergency regulations to require that the application for such forbearance be made widely available for consumers, and such application shall be granted in all reasonable and prudent circumstances solely for the period of such emergency.

Further, the Superintendent shall be empowered to promulgate emergency regulations to direct that, solely for the period of this emergency, fees for the use of automated teller machines (ATMs), overdraft fees and credit card late fees, may be restricted or modified in accordance with the Superintendent's regulation of licensed or regulated entities taking into account the financial impact on the New York consumer, the safety and soundness of the licensed or regulated entity, and any applicable federal requirements.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-first day of March in the year two thousand twenty.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 202.10: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

WHEREAS, ensuring the State of New York has adequate bed capacity, supplies, and providers to treat patients affected with COVID-19, as well as patients afflicted with other maladies, is of critical importance; and

WHEREAS, eliminating any obstacle to the provision of supplies and medical treatment is necessary to ensure the New York healthcare system has adequate capacity to provide care to all who need it;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 22, 2020 the following:

- Section 2803 of the Public Health Law, and Parts 400, 401, 405, 409, 710, 711 and 712 of Title 10 of the NYCRR, to the extent necessary to permit and require general hospitals to take all measures necessary to increase the number of beds available to patients, in accordance with the directives set forth in this Executive Order;
- Section 3001, 3005-a, 3008, and 3010 of the Public Health Law to the extent necessary to modify the definition of “emergency medical services” to include emergency, non-emergency and low acuity medical assistance; to eliminate any restrictions on an approved ambulance services or providers operating outside of the primary territory listed on such ambulance services operating certificate with prior approval by the Department of Health; to permit the Commissioner of Health to issue provisional emergency medical services provider certifications to qualified individuals with modified certification periods as approved; and to allow emergency medical services to transport patients to locations other than healthcare facilities with prior approval by Department of Health;
- Section 3002, 3002-a, 3003, and 3004-a of Public Health Law to the extent necessary to allow any emergency medical treatment protocol development or modification to occur solely with the approval of the Commissioner of Health;
- Sections 405.13 and 755.4 of Title 10 of the NYCRR to the extent necessary to permit an advanced practice registered nurse with a doctorate or master’s degree specializing in the administration of anesthesia administering anesthesia in a general hospital or free-standing ambulatory surgery center without the supervision of a qualified physician in these health care settings;
- Paragraph 1 of Section 6542 of the Education Law and Subdivisions (a) and (b) of Section 94.2 of Title 10 of the NYCRR to the extent necessary to permit a physician assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Paragraph 1 of Section 6549 of the Education Law and Subdivisions (a) and (b) of Section 94.2 of Title 10 of the NYCRR to the extent necessary to permit a specialist assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Subdivision (3) of Section 6902 of Education Law, and any associated regulations, including, but not limited to, Section 64.5 of Title 10 of the NYCRR, to the extent necessary to permit a nurse practitioner to provide medical services appropriate to their education, training and experience, without a written practice agreement, or collaborative relationship with a physician, without civil or criminal penalty related to a lack of written practice agreement, or collaborative relationship, with a physician
- Subdivision (15) of section 3001, and Sections 800.3, 800.15 and 800.16 of Title 10 of the NYCRR with approval of the department, to the extent necessary to define “medical control” to include emergency and non-emergency direction to all emergency medical services personnel by a regional or state medical control center and to permit emergency medical services personnel to operate under the advice and direction of a nurse practitioner, physician assistant, or paramedic, provided that such medical professional is providing care under the supervision of a physician and pursuant to a plan approved by the Department of Health;
- Subdivision (2) of section 6527, Section 6545, and Subdivision (1) of Section 6909 of the Education Law, to the extent necessary to provide that all physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses mid licensed practical nurses shall be immune from civil liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing medical services in support of the State’s response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional;
- Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice as a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- Notwithstanding any law or regulation to the contrary, health care providers are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to, requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirements to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement. In order to protect from liability any person acting reasonably and in good faith under this provision, requirements to maintain medical records under Subdivision 32 of Section 6530 of the Education Law, Paragraph (3) of Subdivision (a) of Section 29.2 of Title 8 of the NYCRR, and Sections 58-1.11, 405.10, and 415.22 of Title 10 of the NYCRR, or any other such laws or regulations are suspended or modified to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak;
- Section 405.45 of Title 10 of the NYCRR to the extent necessary to permit the Commissioner of Health to designate a health care facility as a trauma center, or extend or modify the period for which a health care facility may be designated as a trauma center, or modify the review team for assessment of trauma center;
- Sections 800.3, 800.8, 800.9, 800.10, 800.12, 800.17, 800.18, 800.23, 800.24, and 800.26 of Title 10 of the NYCRR to the extent necessary to extend all existing emergency medical services provider certifications for one year; to permit the Com-

missioner of Health to modify the examination or recertification requirements for emergency medical services provider certifications; to suspend or modify, at the discretion of the Commissioner of Health, any requirements for the recertification of previously certified emergency medical services providers; and, at the discretion of the Commissioner of Health, develop a process determined by the Department of Health, to permit any emergency medical services provider certified or licensed by another State to provide emergency medical services within New York state; at the discretion of the Commissioner of Health, to suspend or modify equipment or vehicle requirements in order to ensure sustainability of EMS operations;

- Paragraph (6) of subdivision (b) of part 405.4 of Title 10 of the NYCRR to the extent necessary to remove limits on working hours for physicians and postgraduate trainees;
- Subparagraph (ii) of paragraph (2) of subdivision (g) of 10 N.Y.C.R.R. section 405.4, to the extent necessary to allow graduates of foreign medical schools having at least one year of graduate medical education to provide patient care in hospitals, is modified so as to allow such graduates without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education;
- Subdivision (c) of section 405.2 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals affected by the disaster emergency to maintain adequate staffing;
- Subdivision (b) of section 405.3 of Title 10 of the NYCRR, to the extent necessary to allow general hospitals to use qualified volunteers or personnel affiliated with different general hospitals, subject to the terms and conditions established by the Commissioner of Health;
- Section 3507 of the Public Health Law and Part 89 of Title 10 of the NYCRR to the extent necessary to permit radiologic technologists licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
- Sections 3502 and 3505 of the Public Health Law and Part 89 of Title 10 of the NYCRR to the extent necessary to permit radiologic technologists licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure;
- Sections 8502, 8504, 8504-a, 8505, and 8507 of the Education Law and Subpart 79-4 of Title 8 of the NYCRR, to the extent necessary to allow respiratory therapists licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure;
- Section 6502 of the Education Law and 8 NYCRR 59.8, to the extent necessary to allow physician's assistants licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
- Section 6502 of the Education Law and 8 NYCRR 59.8, to the extent necessary to allow registered professional nurses, licensed practical nurses and nurse practitioners licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
- Subdivision (2-b) of Section 4002 of the Public Health Law to the extent necessary to allow a hospice residence to designate any number of beds within such facility as dually certified inpatient beds;
- Title V of Article 5 of the Public Health Law and subparts 19 and 58 of Title 10 of the NYCRR, to the extent necessary to allow laboratories holding a Clinical Laboratory Improvement Acts (CUA) certificate and meeting the CLIA quality standards described in 42 CFR Subparts 11, J, K and M, to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection;
- Article 139 of the Education Law, Section 576-b of the Public Health Law and Section 58-1.7 of Title 10 of the NYCRR, to the extent necessary to permit registered nurses to order the collection of throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and
- Subdivision (l) of Section 6801 of the Education Law, Section 6832 of the Education Law and Section 29.7(a)(21)(ii)(b)(4) of Title 8 of the NYCRR, to the extent necessary to permit a certified or registered pharmacy technician, under the direct personal supervision of a licensed pharmacist, to assist such licensed pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders for a home infusion provider licensed as a pharmacy in New York, compliant with the United States Pharmacopeia General Chapter 797 standards for Pharmaceutical Compounding - sterile preparations, and providing home infusion services through a home care agency licensed under Article 36 of the Public Health Law.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through April 22, 2020:

- Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- The Commissioner of Health is authorized to direct, and shall so direct, all general hospitals, ambulatory surgery centers, office-based surgery practices and diagnostic and treatment centers to increase the number of beds available to patients, including by canceling all elective surgeries and procedures, as the Commissioner of Health shall define. General hospitals shall comply with such order by submitting COVID-19 Plans to the New York State Department of Health (NYSDOH), on a schedule to be determined by NYSDOH, to accomplish this purpose;
- The Commissioner of Health is authorized to suspend or revoke the operating certificate of any general hospital should they be unable to meet the requirements of the necessary capacity directives; and notwithstanding any law to the contrary the Commissioner may appoint a receiver to continue the operations on 24 hours' notice to the current operator, in order to preserve the life, health and safety of the people of the State of New York.
- No pharmacist shall dispense hydroxychloroquine or chloroquine except when written as prescribed for an FDA-approved indication; or as part of a state approved clinical trial related to COVID-19 for a patient who has tested positive for COVID-19, with such test result documented as part of the prescription. No other experimental or prophylactic use shall be permitted, and any permitted prescription is limited to one fourteen day prescription with no refills.
- Any licensed health insurance company shall deliver to the Superintendent, no later than March 24, 2020 a list of all persons who have a professional licensure or degree, whether physician's assistant, medical doctor, licensed registered nurse, licensed nurse practitioner or licensed practical nurse, and whether or not the person has a currently valid, or recently (within past five years) expired license in the state of New York. The Department of Financial Services shall poll such individuals to determine whether or not such professionals would serve in the COVID-19 response effort.
- Non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations or other social events) are canceled or postponed at this time.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-first day of March in the year two thousand twenty.

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

COURT NOTICES

AMENDMENT OF RULE

Court of Appeals

At a session of the Court, held at Court of Appeals Hall in the City of Albany, on the 26th day of March, 2020.

Present, HON. JANET DiFIORE, Chief Judge presiding.

In the Matter of The Amendment of the Rules of the Court of Appeals for the Registration of the In-House Counsel.

Pursuant to section 53 of the Judiciary Law, it is hereby

ORDERED that Part 522 of the Rules for the Registration of In-House Counsel is amended (22 NYCRR Part 522), effective April 15, 2020, or as soon thereafter as section 52 of the Judiciary Law is complied with, by deleting the bracketed material and adding the underlined material to sections 522.1, 522.2, 522.3, 522.5, 522.7, and 522.8, to read as follows:

§ 522.1 Registration of In-House Counsel

(a) In-House Counsel defined. An in-house counsel is an attorney who is employed full time *or part time* in this State by a non-governmental corporation, partnership, association, or other legal entity, including its subsidiaries and organizational affiliates, that is not itself engaged in the practice of law or the rendering of legal services outside such organization. *An attorney is not required to reside in New York State or an adjacent state in order to register under this Part.*

(b) In its discretion, *and in accordance with Section 522.1(a)*, the Appellate Division may register as in-house counsel an applicant who:

(1) (i) has been admitted to practice in the highest law court in any other state or territory of the United States or in the District of Columbia; or (ii) is a member in good standing of a recognized legal profession in a foreign [non-United States] jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent and subject to effective regulation by a duly constituted professional body or public authority *where such an authority both exists and holds in good standing compliant members employed as in-house counsel; or (iii) where no such authority exists, or where such authority exists but suspends the membership of members employed as in-house counsel, is trained and licensed as a lawyer in a foreign jurisdiction and eligible to join the bar of such foreign jurisdiction, if such bar exists, or is otherwise eligible to engage in the private practice of law in such jurisdiction, upon ceasing to be employed as in-house counsel;*

(2)(i) is currently admitted to the bar as an active member in good standing in at least one other jurisdiction, within [or outside] the United States, which would similarly permit an attorney admitted to practice in this State to register as in-house counsel; [and] (ii) *was admitted to the bar in at least one other jurisdiction outside the United States and either is a current active member in good standing or has a bar membership that has been suspended because the applicant is employed as in-house counsel, but the applicant is eligible to again become an active member in good standing upon a showing that the applicant is no longer working as in-house counsel; or (iii) is otherwise trained as a lawyer and permitted to provide legal services in a foreign jurisdiction and eligible to join the bar of such foreign jurisdiction, if such a bar exists, upon ceasing to be employed as in-house counsel; and*

(3) possesses the good moral character and general fitness requisite for a member of the bar of this State.

§ 522.2 Proof required

An applicant under this Part shall file with the Clerk of the Appellate Division of the department in which the applicant resides, is employed or intends to be employed as in-house counsel:

(a)(1) a certificate of good standing from each jurisdiction in which the applicant is licensed to practice law; *or*

(2) *if the foreign jurisdiction in which the applicant is licensed to practice law does not issue such certificates, an affidavit along with relevant supporting documentation confirming that the applicant is trained as a lawyer and eligible to join the bar of such foreign jurisdiction, if such a bar exists, or is otherwise eligible to engage in the private practice of law in such jurisdiction, upon ceasing to be employed as in-house-counsel;*

(b)(1) a letter from each such jurisdiction's grievance committee, or other body entertaining complaints against attorneys, certifying whether charges have been filed with or by such committee or body against the applicant, and, if so, the substance of the charges and the disposition thereof; *or*

(2) *if the foreign jurisdiction in which the applicant is licensed to practice law does not provide such letters, an affidavit certifying whether charges have been filed with or by such committee or body against the applicant, and, if so, the substance of the charge and the disposition thereof;*

(c) an affidavit certifying that the applicant:

(1) performs or will perform legal services in this State solely and exclusively as provided in section 522.4; and

(2) agrees to be subject to the disciplinary authority of this State and to comply with the New York Rules of Professional Conduct (22 NYCRR Part 1200) and the rules governing the conduct of attorneys in the judicial department where the attorney's registration will be issued; and

(d) an affidavit or affirmation signed by an officer, director, or general counsel of the applicant's employer, on behalf of said employer, attesting that the applicant is or will be employed as an attorney for the employer and that the nature of the employment conforms to the requirements of this Part.

(e) Documents in languages other than English shall be submitted with a certified English translation.

§ 522.3 Compliance

An attorney registered as in-house counsel under this Part shall:

(a)(1) remain an active member in good standing in at least one state or territory of the United States or in the District of Columbia or a foreign jurisdiction as described in section 522.1(b)(1); *or*

(2) *if the attorney has never obtained such membership by virtue of having spent the attorney's entire career as in-house counsel in a jurisdiction in which in-house counsel are not required or permitted to have such membership, or the attorney's membership in a foreign jurisdiction has been suspended because of the attorney's employment as in-house counsel, the attorney will remain eligible to join the bar of such foreign jurisdiction, if such a bar exists, or otherwise remain eligible to engage in the private practice of law in such jurisdiction upon ceasing to be employed as in-house counsel;*

(b) promptly notify the appropriate Appellate Division department of a disposition made in a disciplinary proceeding in another jurisdiction;

(c) register with the Office of Court Administration and comply with the appropriate biennial registration requirements; and

(d) except as specifically limited herein, abide by all of the laws and rules that govern attorneys admitted to the practice of law in this State.

§ 522.5 Termination of registration

(a) Registration as in-house counsel under this Part shall terminate when:

(1) the attorney ceases to be an active member in another jurisdiction[, as required in] *or otherwise qualified under* section 522.1(b)(2); or

(2) the attorney ceases to be an employee of the employer listed on the attorney's application, provided, however, that if such attorney, within 30 days of ceasing to be such an employee, becomes employed by another employer for which such attorney shall perform legal services as in-house counsel, such attorney may request continued registration under this Part by filing within said 30-day period with the appropriate Appellate Division department an affidavit to such effect, stating the dates on which the prior employment ceased and the new employment commenced, identifying the new employer and reaffirming that the attorney will provide legal services in this State solely and exclusively as permitted in section 522.4. The attorney shall also file an affidavit or affirmation of the new employer as described in section 522.2(d) and shall file an amended statement within said 30-day period with the Office of Court Administration.

(b) In the event that the employment of an attorney registered under this Part ceases with no subsequent employment by a successor employer, the attorney, within 30 days thereof, shall file with the Appellate Division department where registered a statement to such effect, stating the date that employment ceased. Noncompliance with this provision shall result in the automatic termination of the attorney's registration under this Part;

(c) Noncompliance with the provisions of section 468-a of the Judiciary Law and the rules promulgated thereunder, insofar as pertinent, shall, 30 days following the date set forth therein for compliance, result in the termination of the attorney's rights under this Part.

§ 522.7 Saving Clause and Noncompliance

(a) An attorney employed as in-house counsel, as that term is defined in section 522.1(a), shall file an application in accordance with section 522.2 within [30] 90 days of the *later of* commencement of such employment *or April 15, 2020*;

(b) *An application filed within the period required by section 522.7(a) shall be deemed to be timely whether or not the Appellate Division acts on the application within that period;*

(c) Failure to comply with the provisions of this Part shall be deemed professional misconduct, provided, however, that the Appellate Division may upon application of the attorney grant an extension upon good cause shown.

§ 522.8 Pro bono legal services

Notwithstanding the restrictions set forth in section 522.4 of this Part, an attorney registered as in-house counsel under this Part may provide pro bono legal services in this State in accordance with New York Rules of Professional Conduct (22 NYCRR 1200.0) rule 6.1(b) and other comparable definitions of pro bono legal services in New York under the following terms and conditions. An attorney providing pro bono legal services under this section:

(a) shall *either*

(1) be admitted to practice and in good standing in another state or territory of the United States or in the District of Columbia and possess the good moral character and general fitness requisite for a member of the bar of this State, as evidenced by the attorney's registration pursuant to section 522.1(b) of this Part; or

(2) *be a foreign attorney registered pursuant to section 522.1(b) of this Part, in which event the attorney shall only provide such pro bono legal services under the direct supervision of a duly registered New York lawyer;*

(b) pursuant to section 522.2(c)(2) of this Part, agrees to be subject to the disciplinary authority of this State and to comply with the laws and rules that govern attorneys admitted to the practice of law in this State, including the New York Rules of Professional Conduct (22 NYCRR Part 1200.0) and the rules governing the conduct of attorneys in the judicial department where the attorney's registration is issued;

(c) may appear, either in person or by signing pleadings, in a matter pending before a tribunal, as that term is defined in New York Rules of Professional Conduct (22 NYCRR 1200.0) rule 1.0(w), at the discretion of the tribunal, without being admitted pro hac vice in the matter. Prior to any appearance before a tribunal, a registered in-house counsel must provide notice to the tribunal that the attorney is not admitted to practice in New York but is registered as in-house counsel pursuant to this Part. Such notice shall be in a form approved by the Appellate Division; and

(d) shall not hold oneself out as an attorney admitted to practice in this State, in compliance with section 522.4(d) of this Part.