
NEW YORK STATE
REGISTER

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Executive Orders

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

For notices published in this issue:

- the 60-day period expires on August 2, 2020
- the 45-day period expires on July 18, 2020
- the 30-day period expires on July 3, 2020

**ANDREW M. CUOMO
GOVERNOR**

**ROSSANA ROSADO
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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

For legal assistance with *State Register* filing requirements
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NEW YORK STATE REGISTER

Be a part of the rule making process!

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

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

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

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

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

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

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

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

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

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

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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.

Office of Children and Family Services

NOTICE OF ADOPTION

Implement Statutory Requirements to Include Enhanced Background Checks, Annual Inspections, Annual Training and Safety

I.D. No. CFS-39-19-00005-A

Filing No. 348

Filing Date: 2020-05-15

Effective Date: 2020-06-03

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

Action taken: Amendment of Parts 413, 414, 416, 417 and 418 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f), 390(2)(d) and (2-a)

Subject: Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.

Purpose: Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.

Text or summary was published in the September 25, 2019 issue of the Register, I.D. No. CFS-39-19-00005-EP.

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

Revised rule making(s) were previously published in the State Register on February 26, 2020.

Text of rule and any required statements and analyses may be obtained from: Frank J. Nuara, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-9778, email: frank.nuara@ocfs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

Following publication of the Notice of Emergency and Notice Revised Rulemaking in the State Register on February 26, 2020, OCFS received and assessed public comments. The assessment of these comments were published in the State Register on April 22, 2020 with the extension of the emergency regulations. OCFS subsequently received additional comments regarding the regulatory packages for licensed, registered and legally-exempt child care providers. These comments are addressed below.

Comment: Two respondents expressed their support of the emergency rulemaking regarding provisional employment. They requested the regulations become permanent in order to allow the hiring and onboarding of qualified staff in a timely manner while continuing to promote the safety of children.

Office Response: OCFS appreciates these comments and will proceed with adopting the rulemaking without revisions.

Comment: These same respondents requested the New York City Department of Health and Mental Hygiene improve response times for conducting the Comprehensive Background Check (CBC).

Office Response: These comments are outside the scope of the rulemaking and no changes will be made to the rulemaking as a result. OCFS has worked diligently to expedite the CBC process and comply with the federal requirement. Timely completion is dependent on the required documentation packet being completed with accurate information. If persons believe that the process is taking longer than anticipated they are encouraged to contact their regulator.

Comment: These same respondents requested guidance regarding the ability of Summer Youth Employment Program (SYEP) participants to work in summer camps given the time necessary to complete the CBC.

Office Response: These comments are outside the scope of the rulemaking and no changes will be made to the rulemaking as a result. OCFS has worked diligently to expedite the CBC process and comply with the federal requirement. Timely completion is dependent on the required documentation packet being completed with accurate information. If persons believe that the process is taking longer than anticipated they are encouraged to contact their regulator.

NOTICE OF ADOPTION

Implement Statutory Requirements to Include Enhanced Background Checks, Annual Inspections, Annual Training and Safety

I.D. No. CFS-39-19-00007-A

Filing No. 349

Filing Date: 2020-05-15

Effective Date: 2020-06-03

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

Action taken: Amendment of Subpart 358-3, Parts 403, 404, 405, 406 and 415 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f), 390(2)(d), 410(1) and 410-x

Subject: Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.

Purpose: Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.

Text or summary was published in the September 25, 2019 issue of the Register, I.D. No. CFS-39-19-00007-EP.

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

Revised rule making(s) were previously published in the State Register on February 26, 2020.

Text of rule and any required statements and analyses may be obtained from: Frank J. Nuara, Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-9778, email: frank.nuara@ocfs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

Following publication of the Notice of Emergency and Notice Revised Rulemaking in the State Register on February 26, 2020, OCFS received and assessed public comments. The assessment of these comments were published in the State Register on April 22, 2020 with the extension of the emergency regulations. OCFS subsequently received additional comments regarding the regulatory packages for licensed, registered and legally-exempt child care providers. These comments are addressed below.

Comment: Two respondents expressed their support of the emergency rulemaking regarding provisional employment. They requested the regulations become permanent in order to allow the hiring and onboarding of qualified staff in a timely manner while continuing to promote the safety of children.

Office Response: OCFS appreciates these comments and will proceed with adopting the rulemaking without revisions.

Comment: These same respondents requested the New York City Department of Health and Mental Hygiene improve response times for conducting the Comprehensive Background Check (CBC).

Office Response: These comments are outside the scope of the rulemaking and no changes will be made to the rulemaking as a result. OCFS has worked diligently to expedite the CBC process and comply with the federal requirement. Timely completion is dependent on the required documentation packet being completed with accurate information. If persons believe that the process is taking longer than anticipated they are encouraged to contact their regulator.

Comment: These same respondents requested guidance regarding the ability of Summer Youth Employment Program (SYEP) participants to work in summer camps given the time necessary to complete the CBC.

Office Response: These comments are outside the scope of the rulemaking and no changes will be made to the rulemaking as a result. OCFS has worked diligently to expedite the CBC process and comply with the federal requirement. Timely completion is dependent on the required documentation packet being completed with accurate information. If persons believe that the process is taking longer than anticipated they are encouraged to contact their regulator.

State Board of Elections

NOTICE OF ADOPTION

Combine the 10 Day Post Primary Filing with the July 15th Disclosure Statement

I.D. No. SBE-02-20-00002-A

Filing No. 347

Filing Date: 2020-05-14

Effective Date: 2020-06-03

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

Action taken: Amendment of section 6200.2 of Title 9 NYCRR.

Statutory authority: Election Law, sections 3-102(1), (17) and 14-108(1)

Subject: Combine the 10 Day Post Primary Filing with the July 15th disclosure statement.

Purpose: This amendment combines the 10 Day Post Primary Filing with the July 15th disclosure statement that political committees file.

Text or summary was published in the January 15, 2020 issue of the Register, I.D. No. SBE-02-20-00002-P.

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

Text of rule and any required statements and analyses may be obtained from: Nicholas Cartagena, State Board of Elections, 40 N. Pearl Street, Albany, NY 12207-2729, (518) 474-2064, email: nicholas.cartagena@elections.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Amendments to New York State Migratory Game Bird Hunting Regulations

I.D. No. ENV-22-20-00003-P

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

Proposed Action: Amendment of section 2.3 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 11-0303, 11-0903 and 11-0933

Subject: Amendments to New York State migratory game bird hunting regulations.

Purpose: To bring New York State migratory game bird hunting regulations into compliance with Federal Code of Regulations.

Substance of proposed rule (Full text is posted at the following State website: <http://www.dec.ny.gov/regulations/proproregulations.html#public>)

The purpose of this rulemaking is to amend the Department of Environmental Conservation's (Department) migratory game bird hunting regulations. The Department has reviewed 6 NYCRR Part 2.3 and found several inconsistencies between state and federal regulations that could potentially complicate enforcement. The Department has also identified several sections of the regulations where new opportunities exist for the public or additional clarity is necessary. Specifically, this proposed rulemaking would modify 6 NYCRR Part 2.3 to:

Allow crossbows as a hunting implement to be consistent with other small game species;

Correct and clarify prohibitions related to methods allowed during special goose seasons;

Clarify conflicting zone boundary descriptions between federal and state regulations;

Allow for a new waterfowl hunting opportunity for veterans and active military members;

Explicitly prohibit licensed adult hunters serving as mentors from carrying a firearm, longbow, or crossbow in the field when accompanying a youth hunter participating in the youth waterfowl hunt to be consistent with other mentored hunting opportunities for youths;

Allow for the general public to purchase electronic federal migratory bird conservation and hunting stamps and to make these electronic stamps legal for the purposes of hunting.

Text of proposed rule and any required statements and analyses may be obtained from: Joshua Stiller, Division of Fish and Wildlife, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233, (518) 402-8861, email: Joshua.Stiller@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.

Regulatory Impact Statement

I. Statutory authority:

The Commissioner of the Department of Environmental Conservation (Department or DEC), pursuant to Environmental Conservation Law (ECL) section 3-0301, has authority to promote the management of the wildlife resources of New York State. Section 11-0903 authorizes DEC to establish migratory game bird open seasons and bag limits that are consistent with federal regulations. Section 11-0303 of the Environmental Conservation Law directs the Department to develop and carry out programs that will maintain desirable species in ecological balance, and to observe sound management practices. This directive is to be met with consideration given to ecological factors, the compatibility of production and harvest of wildlife with other land uses, the importance of wildlife for recreational

purposes, public safety, and protection of private premises. ECL section 11-0307 allows the Department to adopt rules and regulations in relation to migratory game birds, provided such regulations are no less restrictive than federal regulations.

2. Legislative objectives:

In adopting various articles of the ECL, the Legislature has established wildlife conservation to be policies of the State and has empowered the Department to exercise care, custody, and control over the State's wildlife resources, certain recreational pursuits, State lands and other real property. Consistent with these statutory interests, the proposed regulations will protect natural resources and the safety and welfare of those who engage in migratory game bird hunting.

3. Needs and benefits:

This rulemaking is necessary to bring New York regulations into congruence with federal regulations. Current lack of agreement between federal and state regulations leads to confusion among hunters and the general public and potentially undermines the enforcement of the state regulations. The rulemaking also addresses a new federal act that allows states to provide new waterfowl hunting opportunities for veterans and active members of the military. Allowing a special two-day waterfowl season outside of the regular hunting seasons provides veterans and active members of the military a quality opportunity to hunt waterfowl and enjoy the outdoors with limited competition from other hunting parties. By having these dates outside of the regular season, it also promotes non-qualifying hunters to act as mentors and to introduce new veterans and active military members to waterfowl hunting. This rulemaking will also prohibit licensed adult hunters serving as mentors from carrying a firearm, longbow or crossbow (legal hunting implements) while accompanying youth waterfowl hunters in the field during the special youth opportunity. The rule would allow for additional opportunity to provide a quality hunting and educational experience for the mentored youth hunter and would be more consistent with all other New York youth hunting seasons that prohibit the mentor from carrying a firearm. Lastly, the rulemaking will clarify the status of the federal electronic migratory bird hunting and conservation stamp as it relates to waterfowl hunting. This rulemaking will make the federal stamp more accessible to the public, especially in rural areas with few post offices and for out-of-state hunters that can purchase their required stamps remotely.

4. Costs:

The costs associated with adopting the proposed regulation are minimal. The changes will not result in additional enforcement costs or additional costs for coordinating migratory game bird programs.

5. Local government mandates:

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

6. Paperwork:

The proposed rule does not create a need for additional paperwork.

7. Duplication:

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

8. Alternatives:

No change. If the migratory bird hunting regulations are left unchanged, the enforcement of migratory game bird regulations are potentially compromised. New York does not have the legal authority to adopt waterfowl hunting zone boundaries that differ from the federal waterfowl hunting boundaries, thus the proposed change will ensure that state and federal waterfowl hunting zone boundaries are aligned.

Change New York regulations in conflict with federal regulations but choose to forego the special Veteran and Active Military waterfowl hunting season. Changing the conflicting regulations would greatly improve the enforceability of current waterfowl hunting regulations in New York. However, by not including language that allows for special days for veterans and active military members to hunt waterfowl, DEC would not have the flexibility to allow this special opportunity if hunters support it.

9. Federal standards:

None.

10. Compliance schedule:

The regulated community will be required to comply with these regulations upon their adoption.

Regulatory Flexibility Analysis

This rulemaking would amend the Department of Environmental Conservation's (Department) regulations found in Title 6, Chapter I, Subchapter A, Part 2.3 of the New York State Codes, Rules and Regulations governing the migratory bird hunting and access and use of national wildlife refuges. Migratory birds and access to national wildlife refuges are jointly managed by the Department and United States Fish and Wildlife Service. This rulemaking is necessary to ensure NYSCRR and Code of Federal Regulations do not conflict and thus ensuring migratory game bird regulations in NYSCRR are enforceable.

DEC does not anticipate any negative impacts on small businesses and local governments.

Rural Area Flexibility Analysis

This rulemaking would amend the Department of Environmental Conservation's (Department) regulations found in Title 6, Chapter I, Subchapter A, Part 2 of the New York State Codes, Rules and Regulations governing the migratory bird hunting. Migratory birds are jointly managed by the Department and United States Fish and Wildlife Service. This rulemaking is necessary to ensure NYSCRR and Code of Federal Regulations do not conflict and thus ensuring migratory game bird regulations in NYSCRR are enforceable.

1. Types and estimated numbers of rural areas:

Migratory birds are hunted in both urban and rural areas throughout the state. The proposed regulation affects all areas of New York State. The proposed regulation is unlikely to have any specific impact on rural areas.

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

Reporting and recordkeeping associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the Department.

3. Costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the Department.

4. Minimizing adverse impact:

Based on the Department's past experience in promulgating regulations of this nature, and based on the professional judgment of Department staff, the Department has determined that this rule making will have no adverse impact on rural areas.

5. Rural area participation:

Following proposal of the rule, the Department will receive comment from the public in rural areas for 60 days.

Job Impact Statement

This rulemaking would amend the Department of Environmental Conservation's (Department) regulations found in Title 6, Chapter I, Subchapter A, Part 2 of the New York State Codes, Rules and Regulations governing the migratory bird hunting and access and use of national wildlife refuges. Migratory birds are jointly managed by the Department and United States Fish and Wildlife Service. This rulemaking is necessary to ensure NYSCRR and Code of Federal Regulations do not conflict and thus ensuring migratory game bird regulations in NYSCRR are enforceable.

The Department has determined that this rule making will not have a substantial adverse impact on jobs and employment opportunities. Few, if any, persons actually hunt as a means of employment. Such a person, for whom hunting is an income source (e.g., professional guides), will not suffer any substantial adverse impact as a result of this proposed rule-making. If anything, the proposed changes will clarify hunting regulations, makes it easier for potential hunters to obtain the necessary permits (e.g. an electronic federal migratory bird conservation stamp), and creates additional hunting days for veterans and active military. For this reason, the Department anticipates that this rule making will have no impact on jobs and employment opportunities.

Therefore, the Department has determined that a job impact statement is not required.

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

Amendments to New York State Mink, Muskrat, and Beaver Trapping Season Dates

I.D. No. ENV-22-20-00004-P

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

Proposed Action: Amendment of Parts 6.1 and 6.2 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 11-0301, 11-0303, 11-1101 and 11-1103

Subject: Amendments to New York State mink, muskrat, and beaver trapping season dates.

Purpose: To align existing mink, muskrat and beaver trapping season start dates and adjust the seasons to trapper-preferred dates.

Text of proposed rule: 6 NYCRR Part 6.1(a) is amended as follows:

(a) Open seasons.

No person shall trap beaver or otter except during the open trapping seasons corresponding to the listed wildlife management units, or parts of units. Refer to section 4.1 of this Title for a description of wildlife management units.

(1) Beaver.

Open season	Wildlife management units
Closed	1A, 1C, 2A
Nov. 10 – Apr. 7	3A, 3C, 3F, 3G, 3H, 3J, 3K, 3M, 3N, 3P, 3R, 3S, 4A, 4B, 4C, 4F, 4G, 4H, 4J, 4K, 4L, 4O, 4P, 4R, 4S, 4T, 4U, 4W, 4Y, 4Z, 5R, 5S, 5T, 6P, 6R, 6S, 7A, 7F, 7H, 7J, 7M, 7P, 7R, 7S, 8A, 8C, 8F, 8G, 8H, 8J, 8M, 8N, 8P, 8R, 8S, 8T, 8W, 8X, 8Y, 9A, 9C, 9F, 9G, 9H, 9J, 9K, 9M, 9N, 9P, 9R, 9S, 9T, 9W, 9X, 9Y
[Nov. 25 – Feb. 15]	[8A, 8C, 8F, 8G, 8H, 8J, 8M, 8N, 8P, 8R, 8S, 8T, 8W, 8X, 8Y, 9A, 9C, 9F, 9G, 9H]
Nov. 1 – Apr. 7	5A, 5C, 5F, 5G, 5H, 5J, 6A, 6C, 6F, 6G, 6H, 6J, 6K, 6N
[Nov. 25 – Mar. 15]	[9J, 9K, 9M, 9N, 9P, 9R, 9S, 9T, 9W, 9X, 9Y]

6 NYCRR Part 6.2(a) is amended as follows:

(a) No person shall trap the following listed species except during the open trapping seasons corresponding to the listed wildlife management units, or parts of units. Refer to section 4.1 of this Title for a description of wildlife management units.

(1) Mink and muskrat.

Open season	Wildlife management units
Nov. 10 – Apr. 7	3A, 3C, 3F, 3G, 3H, 3J, 3K, 3M, 3N, 3P, 3R, 3S, 4A, 4B, 4C, 4F, 4G, 4H, 4J, 4K, 4L, 4O, 4P, 4R, 4S, 4T, 4U, 4W, 4Y, 4Z, 5R, 5S, 5T, 6R, 6S
[Nov. 25 – Feb. 15] Nov. 10 – Feb. 15	6P, 7F, 7H, 7J, 7M, 7P, 7R, 7S, 8A, 8C, 8F, 8G, 8H, 8J, 8M, 8N, 8P, 8R, 8S, 8T, 8W, 8X, 8Y, 9A, 9C, 9F, 9G, 9H, 9J, 9K, 9M, 9N, 9P, 9R, 9S, 9T, 9W, 9X, 9Y
[Oct. 25 – Apr. 15] Nov. 1 – Apr. 15	5A, 5C, 5F, 5G, 5H, 5J, 6A, 6C, 6F, 6G, 6H, 6J, 6K, 6N, 7A
Dec. 15 – Feb. 25	1A, 1C, 2A

Text of proposed rule and any required statements and analyses may be obtained from: Amanda Bailey, Division of Fish and Wildlife, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233, (518) 402-8859, email: Amanda.Bailey@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.

Regulatory Impact Statement

1. Statutory authority:

The Commissioner of the Department of Environmental Conservation (DEC or Department), pursuant to Environmental Conservation Law (ECL) section 3-0301, has authority to promote the management of the wildlife resources of New York State. Section 11-0303 of the Environmental Conservation Law directs the Department of Environmental Conservation to develop and carry out programs that will maintain desirable species in ecological balance, and to observe sound management practices. This directive is to be met with regard to ecological factors, the compatibility of production and harvest of wildlife with other land uses, the importance of wildlife for recreational purposes, public safety, and protection of private premises. ECL section 11-0303 directs DEC to manage fish and wildlife resources in the State, including furbearing species that are trapped.

ECL section 11-1101 describes when trapping activities are prohibited, and states that beaver, fisher and otter shall be taken only as permitted by the department.

ECL section 11-1103 states that the department may by regulation permit trapping of beaver, fisher, otter, bobcat, coyote, fox, raccoon, opossum, weasel, skunk, muskrat, pine marten and mink and may regulate the taking, possession and disposition of such animals.

2. Legislative objectives:

The legislative objective behind the statutory provisions listed above is to establish, by regulation, certain basic wildlife management tools, including the setting of open areas for trapping furbearers. These tools are used by the department in recognition of the importance of trapping for recreational and wildlife management purposes.

3. Needs and benefits:

Many trapping seasons have not been formally evaluated in years, despite changes in the distribution and abundance of some species and complaints from the general public when conflicts occur (e.g., beaver caus-

ing flooding) and from trappers regarding season timing. A survey conducted by the department in 2017 found that there were discrepancies between preferred and current season dates for beaver, mink, and muskrat trapping in certain areas. Mink and muskrat trapping are often conducted using similar techniques and in similar habitats, so trapping dates and regulations for these species are linked. In addition, trappers who pursue mink and muskrat are also often pursuing beaver at similar or nearby locations, so season timing for these aquatic furbearers is closely related. Streamlining the seasons for these species whenever possible will help to ensure that New York regulations are enforceable and make it easier for trappers going afield.

Modifying the season dates for these species will allow us to better address our goal of meeting the public desire for sustainable use of these resources while improving management of species like beaver. The number of nuisance beaver complaints received by DEC has increased steadily each year, particularly in central and western New York. One of the major goals of the department’s Bureau of Wildlife is to minimize the damage and nuisance caused by wildlife; the growing number of beaver complaints indicates that changes are needed to the current beaver trapping season structure to better manage the population.

4. Costs:

The costs associated with adopting the proposed regulation are minimal. The changes will not result in additional enforcement costs or additional costs for coordinating furbearer programs.

5. Local government mandates:

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

6. Paperwork:

The proposed rule does not create a need for additional paperwork.

7. Duplication:

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

8. Alternatives:

No change. No change in New York trapping season regulations would not address the growing nuisance beaver complaint issues throughout the State. It would also ignore trappers’ desires regarding season dates. Finally, the lack of alignment of current water trapping season dates can cause confusion among trappers and create enforcement challenges. Leaving the seasons as-is would not resolve this issue.

Mink, muskrat and beaver seasons start earlier than those proposed. Moving the start dates earlier than the proposed dates would ignore trappers’ desires regarding season dates and their desire for additional trapping opportunity when pelts are prime. Moving the start dates earlier would also result in difficulties with enforcement and confusion for trappers who regularly trap multiple aquatic furbearers, as the river otter season would not align with the other seasons.

Mink, muskrat and beaver seasons start later than those proposed. Moving the season start dates later than the proposed dates would better align the season with the time when pelt quality is higher. This alternative would lead to additional trapping opportunity in the spring, which may be a concern for muskrat. Targeting muskrat in the fall has been shown to not impact their populations, as many of the animals removed would have perished over the winter anyway. Under this alternative, DEC law enforcement and trappers would still have the issue of the otter season not aligning with other water trapping, leading to potential enforcement issues and confusion. In addition, there would be less opportunity during open water, leading to decreased access and difficult trapping conditions.

9. Federal standards:

None.

10. Compliance schedule:

The regulated community (trappers) will be required to comply with these regulations upon their adoption.

Regulatory Flexibility Analysis

The purpose of this rule is to amend existing beaver, mink and muskrat trapping seasons found in Title 6, Chapter I, Subchapter B, Parts 6.1 and 6.2 of the New York State Codes, Rules and Regulations. This rule-making will align the start dates of these closely-linked seasons and adjust the seasons to trapper-preferred start and end dates. This rulemaking will allow for easier enforcement of regulations and reduce confusion among trappers going afield.

1. Effect of rule:

The primary effect of this proposed rule will be an extended trapping season for beavers, mink, and muskrat in central and western New York. Some small businesses currently benefit from trapping because trappers spend money on goods and services. This rule expands water trapping opportunities in several areas; any increase in trapper participation should lead to positive economic impacts on such businesses. In addition, this rule-making will provide additional beaver trapping opportunities in central and western New York, areas which have seen increasing levels of human-beaver conflict. Over 700 of the nuisance beaver complaints received in 2019 were from small businesses and local governments. It is

hoped that increased participation in beaver trapping will reduce human-beaver conflict, benefiting small businesses and local governments by saving money previously spent mitigating nuisance beaver issues (e.g., controlling flooding on municipal roads and properties).

While the overall effect of the proposed rule will be positive for small businesses and local governments, there is some potential for limited adverse economic impact on Nuisance Wildlife Control Operators (NWCOS) operating in western New York. An increase in beaver harvest during the trapping season may lead to decreased beaver-related business for Nuisance Wildlife Control NWCOS operating in this area who charge landowners to trap and remove nuisance wildlife. The overall impact on NWCOS will be minimal as their services will still be needed to trap and remove nuisance beavers outside of the recreational trapping season.

2. Compliance requirements:

All reporting or record-keeping requirements associated with trapping are administered by the New York State Department of Environmental Conservation (Department). Small businesses may, and town or village clerks do, sell trapping licenses, but this rule does not affect that activity. Thus, there will be no effect on reporting or record-keeping requirements imposed on those entities.

Nuisance wildlife control operators are already regulated under New York's Environmental Conservation Law (ECL), Article 11, Title 5 pertaining to the taking of destructive wildlife. The proposed rule does not impose any additional reporting, record-keeping, or compliance requirements on NWCOS.

3. Professional services:

The Department does not believe any professional services will be needed to comply with the provisions of this rule.

4. Compliance costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the Department.

5. Economic and technological feasibility:

Based on the Department's past experience in promulgating regulations of this nature, and based on the professional judgment of Department staff, the Department has determined that this rule making is fully economically and technologically feasible for small business and local governments. Any potential economic impacts to small businesses (NWCOS) will be offset by economic benefits to small businesses and local governments through the mitigation of nuisance beaver damage.

6. Minimizing adverse impact:

The Department has determined that this rulemaking will have minimal adverse impact on small business and local governments. There may be some adverse economic impact to NWCOS specializing in nuisance beaver removal in western NY, but this will be offset by benefits to other small businesses and local governments. Many NWCOS specialize in the removal of several different species, not just beaver (e.g. mice, bats, skunks, raccoons, etc.). The proposed rulemaking will not impact those other species. In addition, the proposed rulemaking does not put additional compliance requirements on NWCOS removing nuisance beavers or impact the ability of NWCOS to advertise their services. The proposed rulemaking is expected to benefit other small businesses and local governments. Over 700 of the nuisance beaver complaints in 2019 came from small businesses and local governments; most of these complaints involved property damage from flooding. Reducing the beaver population would help mitigate these damages, benefiting other businesses.

7. Small business and local government participation:

Following proposal of this rule, the Department will receive comment from small businesses and municipalities for 60 days.

Rural Area Flexibility Analysis

The purpose of this rule is to amend existing beaver, mink and muskrat trapping seasons found in Title 6, Chapter I, Subchapter B, Parts 6.1 and 6.2 of the New York State Codes, Rules and Regulations. This rule-making will align the start dates of these closely-linked seasons and adjust the seasons to trapper-preferred start and end dates. This rulemaking will allow for easier enforcement of regulations and reduce confusion among trappers going afield.

1. Types and estimated numbers of rural areas:

Mink, muskrat and beaver are trapped in both urban and rural areas throughout the state. The proposed regulation affects all areas of New York State. The proposed regulation is unlikely to have any specific impact on rural areas.

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

Reporting and recordkeeping associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the Department. Small businesses may, and town or village clerks do, sell trapping licenses, but this rule does not affect that activity. Thus, there will be no effect on reporting or record-keeping requirements imposed on those entities in rural areas.

3. Costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the Department.

4. Minimizing adverse impact:

Based on the Department's past experience in promulgating regulations of this nature, and based on the professional judgment of Department staff, the Department has determined that this rule making will have no adverse impact on rural areas.

5. Rural area participation:

Following proposal of the rule, the Department will receive comment from the public in rural areas for 60 days.

Job Impact Statement

The purpose of this rule is to amend existing beaver, mink and muskrat trapping seasons found in Title 6, Chapter I, Subchapter B, Parts 6.1 and 6.2 of the New York State Codes, Rules and Regulations. This rule-making will align the start dates of these closely-linked seasons and adjust the seasons to trapper-preferred start and end dates. This rulemaking will allow for easier enforcement of regulations and reduce confusion among trappers going afield.

1. Nature of impact:

The primary impact of this rule will be an extended trapping season for beavers, mink, and muskrat in central and western New York. One of the goals of the proposed rulemaking is to provide additional beaver trapping opportunities to mitigate the growing number of nuisance beaver complaints in New York. This additional opportunity may result in increased trapping effort and fewer conflicts between landowners and beavers due to flooding and other problems related to beaver activity. An increase in beaver harvest during the trapping season may lead to decreased beaver-related business for Nuisance Wildlife Control Operators (NWCOS) operating in this area who charge landowners to trap and remove nuisance wildlife. The overall impact on NWCOS will be minimal as their services will still be needed to trap and remove nuisance beavers outside of the recreational trapping season.

2. Categories and numbers affected:

If any impact occurs, it may affect some NWCOS in western New York, particularly those that specialize in nuisance beavers. While the Department receives only occasional nuisance mink and muskrat complaints (26 and 1 in 2019, respectively), nuisance complaints regarding beavers are common. One of the goals of this rulemaking is to increase the beaver harvest in western New York to mitigate beaver-human conflicts and better meet the goal of the Department's Bureau of Wildlife to minimize the damage and nuisance caused by wildlife. There are 227 licensed NWCOS operating in the counties where the beaver season will be extended. While they may see some decline in business related to nuisance beavers due to increased trapper participation, it is not expected to be a significant adverse impact. Overall, this impact is offset by the decrease in property damage that will result from improved management of beaver populations through recreational trapping and the benefit to fur trappers better utilizing the fur resource.

3. Regions of adverse impact:

The impact, if any, may be noticeable among NWCOS operating in western New York (DEC regions 8 and 9), where the beaver season will be extended until April 7th. There will be no change in the beaver season in other areas of the state.

4. Minimizing adverse impact:

While there may be some adverse impact to NWCOS in western New York, the proposed rule is not expected to have significant adverse impacts. Many NWCOS specialize in the removal of several different species (e.g. mice, bats, skunks, raccoons, etc.); few specialize in nuisance beaver removal. The proposed rulemaking will not impact those other species. In addition, the proposed rulemaking does not put additional requirements on NWCOS removing nuisance beavers or impact the ability of NWCOS to advertise their services. In recent years, there has been an overall decline in trapper participation in New York. This trend is expected to continue. If a landowner does not know any active trappers, they usually will hire a NWCOS to remove the nuisance animal for them. With a declining trend in trapper participation expected to continue, it is unlikely that the proposed rule will have significant impacts on employment opportunities for NWCOS. The overall impact on NWCOS will be minimal as their services will still be needed to trap and remove nuisance beavers outside of the recreational trapping season.

In addition, the proposed rulemaking is expected to benefit other small businesses and local governments. Over 700 of the nuisance beaver complaints in 2019 came from small businesses and local governments; most of these complaints involved property damage from flooding. Reducing the beaver population would help mitigate these damages, benefiting other businesses.

Department of Financial Services

NOTICE OF WITHDRAWAL

Creation of Exemptions from the Waiver Procedures Otherwise Applicable Pursuant to New York Banking Law Section 36.10

I.D. No. DFS-48-19-00002-W

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

Action taken: Notice of proposed rule making, I.D. No. DFS-48-19-00002-P, has been withdrawn from consideration. The notice of proposed rule making was published in the *State Register* on November 27, 2019.

Subject: Creation of exemptions from the waiver procedures otherwise applicable pursuant to New York Banking Law section 36.10.

Reason(s) for withdrawal of the proposed rule: DFS received public comments after its consensus filing and must prepare a new version of the regulation.

NOTICE OF ADOPTION

Enterprise Risk Management and Own Risk and Solvency Assessment; Group-Wide Supervision

I.D. No. DFS-09-20-00008-A

Filing No. 350

Filing Date: 2020-05-15

Effective Date: 2020-06-03

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

Action taken: Amendment of Part 82 (Regulation 203) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 110, 301, 302, 308, 1503(b), 1504(c), 1604(b) and 1717

Subject: Enterprise Risk Management and Own Risk and Solvency Assessment; Group-Wide Supervision.

Purpose: To authorize the Superintendent to act as the group-wide supervisor for an internationally active insurance groups.

Text or summary was published in the March 4, 2020 issue of the Register, I.D. No. DFS-09-20-00008-P.

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

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

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

New York State Gaming Commission

EMERGENCY RULE MAKING

Permit Harness Horses to Race Without Qualifying After COVID-19 Shutdown

I.D. No. SGC-22-20-00010-E

Filing No. 358

Filing Date: 2020-05-19

Effective Date: 2020-05-19

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

Action taken: Amendment of section 4113.5(a) of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

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

Specific reasons underlying the finding of necessity: The Commission has determined that immediate adoption of this rule is necessary for the preservation of the public health and general welfare and that compliance with the requirements of subdivision 1 of Section 202 of the State Administrative Procedure Act would be contrary to the public interest.

The emergency rule would authorize the Commission, as may be appropriate, to allow a horse to resume racing without first participating in a qualifying race following an unspecified period of time while the horse did not race because of interference caused by an unexpected event. The current rule limits this discretion to horses that have raced within the previous 60 days.

A harness horse that does not regularly race must demonstrate its proficiency in a timed workout, called a qualifying race. This ordinarily occurs when the horse has not raced on the typical weekly race schedule due to health or other training issues. The novel coronavirus pandemic ("COVID-19"), however, has interrupted the racing of virtually all harness horses that participate in New York racing without regard to race proficiency. As a result, when the harness racetracks reopen, there would be a logjam of hundreds of horses that would need to requalify before racing could resume at the racetrack.

The congregation of very large numbers of owners, trainers and drivers for the purpose of requalifying the hundreds of their horses that have been unable to race due to the novel coronavirus pandemic would pose a substantial risk to public health. The COVID-19 virus is very contagious and can be spread by asymptomatic persons. It may cause death or serious debilitation to those who contract the infection. The public health risk that would result from making all harness horses requalify is unacceptable, and having the horses requalify a few at a time would prevent the racetracks from reopening.

In the absence of this emergency rulemaking, hundreds of horses would be brought to New York harness racetracks, delaying the resumption of racing that has experienced serious economic damage due to COVID-19 and causing a serious public health risk.

The emergency rule eliminates this prospect and will facilitate the safe resumption of harness racing in New York.

Subject: Permit harness horses to race without qualifying after COVID-19 shutdown.

Purpose: To enhance harness racing in New York and promote a reasonable return for government.

Text of emergency rule: Paragraph (1) of subdivision (a) of section 4113.5 of 9 NYCRR is amended, as follows:

§ 4113.5. Unqualified horses.

(a) A horse shall be deemed unqualified and must qualify once before being allowed to start in any overnight pari-mutuel event for the following reasons:

(1) The horse does not show a charted line of a current performance meeting the qualifying standards at the track for the class of race. Current performance shall be defined as a start within 30 days of the date of the race to which declared. Official workouts shall be acceptable as qualifying performances for this paragraph for horses with previous satisfactory races. The commission may extend the qualifying standards from 30 to as

many [as 60] days *as appropriate to account* for [appropriate reasons, including] track closings, equine sickness, inclement weather or other unexpected events that interfere with the opportunities for otherwise eligible horses to race.

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 August 16, 2020.

Text of rule and any required statements and analyses may be obtained from: Kristen Buckley, New York State Gaming Commission, One Broadway Center, Suite 500, Schenectady, NY 12305, (518) 388-3332, email: gamingrules@gaming.ny.gov

Regulatory Impact Statement

1. Statutory authority: The New York State Gaming Commission ("Commission") is authorized to promulgate these rules pursuant to Racing Pari-Mutuel Wagering and Breeding Law ("Racing Law") Section 103(2) and 104(1, 19). Pursuant to Section 103(2), the Commission is responsible for supervising, regulating and administering all horse racing and pari-mutuel wagering activities in the State. Subdivision (1) of Section 104 confers upon the Commission general jurisdiction over all such gaming activities within the State and over the corporations, associations and persons engaged in such activities. Subdivision (19) of Section 104 authorizes the Commission to promulgate any rules and regulations that it deems necessary to carry out its responsibilities.

2. Legislative objectives: To enhance harness racing in New York and generate reasonable revenue for the support of government.

3. Needs and benefits. This emergency rule permits the hundreds of harness horses that have been prevented from racing by the novel coronavirus pandemic ("COVID-19") to resume racing when the harness racetracks reopen without having to requalify before being eligible to enter the races.

Harness horses that fail to race regularly, namely, within the preceding 30 days, are required to demonstrate their competitive proficiency in a timed workout, called a qualifying race, before the horse is eligible to enter races again. 9 NYCRR § 4113.5(a)(1). The current rule provides an exception when unexpected events, such as track closings or equine sickness, have interfered with the opportunity for horses to race. In such circumstances, the Commission may extend the number of days before a horse must requalify, but only for as many as 60 days since the horses raced.

Hundreds of harness horses will have had no opportunity to race for more than 60 days before New York harness racetracks are permitted to reopen, following the complete closure of these nonessential business to control the spread of the deadly COVID-19 virus.

When these racetracks reopen, all the horses would need to be brought to the racetrack and complete a qualifying race before the racetrack can let any of them be entered in races under the current rule. This would create an enormous impediment to reopening the racetracks because about 100 eligible horses must be entered for each racetrack to be able to schedule a single day of racing. Moreover, the congregation of hundreds of horse owners, trainers and drivers to participate in a qualifying race would not be consistent with the necessary COVID-19 prohibition of large gatherings.

4. Costs:

(a) Costs to regulated parties for the implementation of and continuing compliance with the rule: None.

(b) Costs to the agency, the state and local governments for the implementation and continuation of the rule: There will be no costs to the agency. There will be no cost to local government because the Commission is the only governmental entity authorized to regulate pari-mutuel horse racing.

(c) The information, including the source(s) of such information and the methodology upon which the cost analysis is based: n/a.

5. Local government mandates: None. The Commission is the only governmental entity authorized to regulate harness racing activities.

6. Paperwork: There will be no required paperwork to comply with the rule.

7. Duplication: No relevant rules or other legal requirements of the state and/or federal government exist that duplicate, overlap or conflict with this rule.

8. Alternatives. The Commission considered and rejected the alternative of requiring hundreds of horses to requalify that were all deprived of any opportunity to race by the COVID-19 emergency restrictions. This alternative was rejected because the wagering public is well aware that none of these horses has raced during the pandemic and the benefits that accrue from facilitating a prompt, orderly and safe resumption of harness racing outweigh any disadvantage that may result from horses participating in pari-mutuel races without having raced or completed a qualifying race in the past 60 days.

9. Federal standards: There are no minimum standards of the Federal government for this or a similar subject area.

10. Compliance schedule: The Commission believes that regulated persons will be able to achieve compliance with the rule upon adoption of this rule.

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

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

This rulemaking removes an impediment to entering a horse in a harness race without a qualifying race when unexpected events, including without limitation the novel coronavirus pandemic, have interfered with the horses having an opportunity to race for more than 60 days. Under current rules, the requirement to requalify cannot be waived for horses that have not raced for more than 60 days, which is less than how long all racetracks may be closed. The proposed amendment will remove this impediment. This action will have a positive effect on pari-mutuel horseracing, wagering and breeding in New York.

This rule will not impose an adverse economic impact or reporting, record keeping or other compliance requirements on small businesses in rural or urban areas or on employment opportunities. No local government activities are involved.

NOTICE OF ADOPTION

Permit Thoroughbred Horses with Digital Tattoos to Race in New York

I.D. No. SGC-01-20-00006-A

Filing No. 356

Filing Date: 2020-05-19

Effective Date: 2020-06-03

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

Action taken: Amendment of section 4024.1(b)(1) of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Permit Thoroughbred horses with digital tattoos to race in New York.

Purpose: To promote the integrity of racing and derive a reasonable return for government.

Text or summary was published in the January 8, 2020 issue of the Register, I.D. No. SGC-01-20-00006-P.

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

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, PO Box 7500, Schenectady, New York 12031-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Allow Claimant to Void Claim of Lameness

I.D. No. SGC-07-20-00002-A

Filing No. 357

Filing Date: 2020-05-19

Effective Date: 2020-06-03

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

Action taken: Amendment of sections 4038.5 and 4038.17 of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Allow claimant to void claim of lameness.

Purpose: To enhance horse health and safety in thoroughbred racing.

Text of final rule: Subdivision (a) of section 4038.5 of 9 NYCRR is amended as follows:

§ 4038.5. Requirements for claim; determination by stewards.

(a) All claims shall be in writing, sealed in an envelope and deposited in a locked box provided for this purpose by the racing secretary or the rac-

ing secretary's designee, at least 10 minutes before post time. Claim slip forms must be completely filled out and must, in the judgment of the stewards, be sufficiently accurate to identify the claim, otherwise the claim will be void. No money shall accompany the claim. Each person desiring to make a claim, unless the person has such amount to the person's credit with the association, must first deposit with the association the whole amount of the claim, in a manner approved by the racing secretary or designee for which a receipt will be given. All claims shall be passed upon by the stewards. *If more than one person should enter a claim for the same horse, then the disposition of the horse shall be decided by lot by the stewards. Claimed horses shall be taken after the race to the test barn for a determination of soundness and for any test samples to be collected.* The person determined [at the closing time for claiming] by the stewards to have the right of claim shall become the owner of the horse when the [start is effected] race is started, whether the horse is sound or unsound or injured before or during the race or after the race, except that:

(1) the claim is voidable at the discretion of the new owner pursuant to the conditions stated in section 4038.19 of this Part unless the age or sex of such horse has been misrepresented, and subject to the provisions of subdivision (b) of this section;

(2) a claim shall be void for any horse that dies during a race or is euthanized on the track following a race; [and]

(3) a claim is voidable at the discretion of the new owner, for a period of one hour after the race is made official, for any horse that is vanned off the track after the race[.]; and

(4) a claim is voidable at the discretion of the new owner if the horse is placed on the veterinarian's list following an examination by the State veterinarian or other veterinarian who has been designated by the commission to examine claimed horses in the test barn following the race for a determination of soundness for either of the following reasons:

(i) the horse is grade two lame or higher on the American Association of Equine Practitioners lameness grading scale, meaning the lameness of the horse is consistently apparent under certain circumstances (e.g., weight carrying, circling, inclines, hard surface) even if such lameness is difficult to observe when the horse is at a walk or trotting in a straight line; or

(ii) the claimed horse has bled visibly from a nostril (epistaxis) that is attributable, because the bleeding is not caused wholly by a wound or superficial injury, to an episode of exercise induced pulmonary hemorrhage.

When a horse is placed on the veterinarian's list pursuant to this paragraph, the claimant shall be deemed to have voided the claim and the horse shall be removed from the test barn area by the original owner, unless the claimant or a representative of the claimant is present at the test barn to be informed of the determination of the State or designated veterinarian and, upon being informed of the veterinarian's findings, decides immediately to accept the horse.

[In the event more than one person should enter a claim for the same horse, the disposition of the horse shall be decided by lot by the stewards. Any horse so claimed shall then be taken to the test barn for delivery to the claimant after any test sample is taken.]

Section 4038.17 of 9 NYCRR is amended as follows:

§ 4038.17. Horses claimed-testing and post-race examination.

(a) If the claimant of a horse has requested post-race testing, at the expense of the claimant, on the claim form, then the stewards shall designate such horse for post-race testing pursuant to subdivision (b) of section 4012.3 of this Article. The original trainer shall remain responsible for the claimed horse until any on-track post-race sample collection has been completed.

(b) The original trainer shall remain responsible for a claimed horse that is required to be examined pursuant to paragraph (4) of subdivision (a) of section 4038.5 of this Part until the horse has undergone such examination and been released to the new owner.

Final rule as compared with last published rule: Nonsubstantive changes were made in section 4038.5(a)(4).

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, PO Box 7500, Schenectady, New York 12031-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

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

The only revision made to the rule was the addition of the phrase "on the American Association of Equine Practitioners lameness grading scale" to modify "grade two lame or higher" in section 4038.5(a)(4)(i). This clarification has no impact on the regulatory impact statement. This clarification does not change that no regulatory flexibility analysis, rural area flexibility analysis or job impact statement is necessary.

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

One public comment was received in response to the publication of the proposed rule making in the February 19, 2020 State Register. The General Counsel, Executive Vice President and Chief Administrative Officer of The New York Racing Association, Inc. ("NYRA") wrote that NYRA supports the proposal to permit a claimant to void the claim if a horse is deemed unsound or to have bled at the conclusion of the claiming race. He recommends that the proposal expand the definition of an unsound horse to include any horse placed on the veterinarian's list at the conclusion of the race, which is a model rule of the Thoroughbred Safety Coalition and might include a horse whose lameness is less than grade two. The proposal requires a finding of at least grade two lameness on the American Association of Equine Practitioners ("AAEP") lameness scale, which means the lameness of the horse is consistently apparent under at least one condition, e.g., trotting on a hard surface. The Commission disagrees with the suggestion. When a regulatory veterinarian evaluates the lameness of a horse at the conclusion of a race pursuant to this rule, the AAEP grade two lameness standard provides the regulatory veterinarian and horsepersons with an objective standard. The lesser standard (grade one) means lameness that cannot be seen consistently under any circumstances. The decision to permit a claim to be voided should not depend on whether the lameness of the horse is or is not apparent during the particular opportunity the regulatory veterinarian has to examine the horse. The grade two standard means that the affected parties can themselves observe the lameness because it is defined by AAEP as lameness that can consistently be seen. The representatives of the claimant and owner who entered the horse can satisfy themselves at the time that the correct decision has been made by the regulatory veterinarian. Finally, grade two lameness is the general criteria used in the industry to determine whether a horse should be placed on the veterinarian's list, another measure of consistency when determining whether to permit a claim to be voided. The proposal is thus a practical way to provide consistency and transparency and maximize confidence of the regulated parties in the objectivity and fairness of the evaluation of the claimed horse and implementation of the rule.

NOTICE OF ADOPTION

Spanish 21, a Blackjack Variant to be Offered in Commercial Casinos

I.D. No. SGC-07-20-00003-A

Filing No. 354

Filing Date: 2020-05-19

Effective Date: 2020-06-03

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

Action taken: Amendment of section 5324.12(d); addition of section 5324.12(e) to Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 104(19), 1307(1), (2)(g), 1335(5), (6) and (11)

Subject: Spanish 21, a blackjack variant to be offered in commercial casinos.

Purpose: To set forth the practices and procedures for the operation of Spanish 21 as a casino table game.

Text or summary was published in the February 19, 2020 issue of the Register, I.D. No. SGC-07-20-00003-P.

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

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, New York 12301-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Relating to the Provision of Social Security Numbers

I.D. No. SGC-07-20-00004-A
Filing No. 352
Filing Date: 2020-05-19
Effective Date: 2020-06-03

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

Action taken: Amendment of sections 4026.2(c), 4300.19, 4500.4(b)(3), (5) and 4500.6 of Title 9 NYCRR.

Statutory authority: Public Officers Law, art. 6-A; Racing, Pari-Mutuel Wagering and Breeding Law, sections 103 and 104(19)

Subject: Relating to the provision of social security numbers.

Purpose: Limit collection of social security numbers.

Text or summary was published in the February 19, 2020 issue of the Register, I.D. No. SGC-07-20-00004-P.

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

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, New York 12301-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Thoroughbred Pick-Five and Pick-Six Wagers

I.D. No. SGC-07-20-00014-A
Filing No. 355
Filing Date: 2020-05-19
Effective Date: 2020-06-03

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

Action taken: Amendment of sections 4011.25 and 4011.26 of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Thoroughbred pick-five and pick-six wagers.

Purpose: To improve the pick-five and pick-six wagers in thoroughbred racing.

Text or summary was published in the February 19, 2020 issue of the Register, I.D. No. SGC-07-20-00014-P.

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

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Joint Injections in Thoroughbred Racing

I.D. No. SGC-11-20-00012-A
Filing No. 353
Filing Date: 2020-05-19
Effective Date: 2020-06-03

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

Action taken: Amendment of sections 4043.2(c), (e), (f), (g), (i) and 4043.4(b) of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Joint injections in thoroughbred racing.

Purpose: To improve integrity, health and safety of thoroughbred horse racing.

Text or summary was published in the March 18, 2020 issue of the Register, I.D. No. SGC-11-20-00012-P.

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

Text of rule and any required statements and analyses may be obtained from: Kristen Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, NY 12301, (518) 388-3332, email: gamingrules@gaming.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

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

Permit Harness Horses to Race Without Qualifying in Extraordinary Circumstances

I.D. No. SGC-22-20-00008-P

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

Proposed Action: This is a consensus rule making to amend section 4113.5(a)(1) of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Permit harness horses to race without qualifying in extraordinary circumstances.

Purpose: To enhance harness racing in New York and promote a reasonable return for government.

Text of proposed rule: Paragraph (1) of subdivision (a) of section 4113.5 of 9 NYCRR would be amended, as follows:

§ 4113.5. Unqualified horses.

(a) A horse shall be deemed unqualified and must qualify once before being allowed to start in any overnight pari-mutuel event for the following reasons:

(1) The horse does not show a charted line of a current performance meeting the qualifying standards at the track for the class of race. Current performance shall be defined as a start within 30 days of the date of the race to which declared. Official workouts shall be acceptable as qualifying performances for this paragraph for horses with previous satisfactory races. The commission may extend the qualifying standards from 30 to as many [as 60] days as appropriate to account for [appropriate reasons, including] track closings, equine sickness, inclement weather or other unexpected events that interfere with the opportunities for otherwise eligible horses to race.

* * *

Text of proposed rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, New York 12301-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

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

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

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

Consensus Rule Making Determination

The adoption of this proposed revision to the harness rules of the New York State Gaming Commission would authorize the Commission to allow a horse to resume racing without a qualifying race after not racing, for an unspecified period time, because of delays caused by unexpected events. The current rule limits this authority to when a horse has not raced for 60 days or less. The proposal would permit harness racing to resume in New York State after an extraordinary event that causes racetrack closures, without necessitating the unsafe immediate congregation of large numbers

of owners, trainers and drivers for the purpose of requalifying the hundreds of horses that have been unable to race due to racetrack closures. Due to the non-controversial nature of this amendment, no person is likely to object to the revision proposed by this amendment.

Job Impact Statement

A job impact statement is not required for this consensus rulemaking proposal because the proposed amendments will not adversely affect jobs or employment opportunities.

The proposal will make only a non-controversial amendment to allow the New York State Gaming Commission to modify harness racing qualification standards in extraordinary circumstances.

The proposed amendments will not have an impact on jobs or employment opportunities and will not impose any adverse impact on jobs or employment opportunities.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Technical Changes to Correct Cross-References in the Regulations

I.D. No. SGC-22-20-00009-P

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

Proposed Action: This is a consensus rule making to amend sections 5300.1(i), 5325.2(b)(3)(iii), (vii), (viii), (xii), 5325.3(a)(7) and 5329.34 of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103, 104(1), (19) and 1305(20)

Subject: Technical changes to correct cross-references in the regulations.

Purpose: To correct cross-references in the regulations.

Text of proposed rule: Sections 5300.1(i), 5325.2(b)(3)(iii), (vii), (viii) and (xii), 5325.3(a)(7) and 5329.34 of Title 9 of the NYCRR would be amended as follows:

§ 5300.1. Definitions.

Unless the context indicates otherwise, the following definitions and the definitions set forth in Racing, Pari-Mutuel Wagering and Breeding Law section 1301 are applicable throughout this Subchapter:

(i) Excluded person means a person who is excluded from a gaming facility pursuant to Part [5326] 5402 of this [Subchapter] *subtitle*.

§ 5325.2. Problem gambling plan.

(b) A problem gambling plan shall include the following:

(3) policies and procedures that clearly illustrate:

(iii) procedures for compliance with the self-exclusion program set forth in Part [5326] 5402 of this [Subchapter] *subtitle*;

(vii) the provision of printed material to educate patrons and employees about problem gambling and to inform them about the self-exclusion program set forth in Part [5326] 5402 of this [Subchapter] *subtitle* and treatment services available to problem gamblers and their families. The gaming facility licensee shall provide examples of the materials to be used as part of its problem gambling plan, including brochures and other printed material and a description of how the material will be disseminated;

(viii) advertising and other marketing and outreach to educate the general public about problem gambling and the self-exclusion program set forth in Part [5326] 5402 of this [Subchapter] *subtitle*;

(xii) a signage plan containing information on gambling treatment and on the self-exclusion program set forth in Part [5326] 5402 of this [Subchapter] *subtitle*. The gaming facility licensee shall provide examples of the language and graphics to be used on the signs as part of the problem gambling plan. Additionally, the signage plan shall include posting of signs on appropriate languages other than English, depending upon the patron demographics in a facility.

§ 5325.3. Employee training program.

(a) The employee training program required pursuant to subparagraph (viii) of paragraph (3) of subdivision (b) of section 5325.2 shall include instruction in the following:

(7) procedures for the dissemination of written materials to patrons

explaining the self-exclusion program as set forth in Part [5326] 5402 of this [Subchapter] *subtitle*;

§ 5329.34. Responsible gaming.

Each operator and sports pool vendor licensee shall comply with the problem gaming, self-exclusion and excluded person requirements set forth in [sections] *Parts* 5325[, 5326] and 5327 of this subchapter and *Part* 5402 of this *subtitle*.

Text of proposed rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, New York 12301-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Data, views or arguments may be submitted to: Ralph Scunziano, New York State Gaming Commission, One Broadway Center, PO Box 7500, Schenectady, New York 12301-7500, (518) 388-3651, email: ralph.scunziano@gaming.ny.gov

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

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

Consensus Rule Making Determination

This proposed rulemaking will correct cross-references in the New York State Gaming Commission's Regulations. A recently adopted rulemaking moved the casino self-exclusion provisions from Part 5326 to a new Part 5402. This proposal would conform other provisions to cross-reference the newly numbered Part 5402. Due to the technical and non-controversial nature of these proposed amendments, no person is likely to object to the proposed revisions.

Job Impact Statement

A job impact statement is not required for this consensus rulemaking proposal because the proposed amendments will not adversely affect jobs or employment opportunities.

The proposal will make only technical changes to correct cross-references in the New York State Gaming Commission's regulations.

The proposed amendments will not have an impact on jobs or employment opportunities and will not impose any adverse impact on jobs or employment opportunities.

Metropolitan Transportation Agency

REVISED RULE MAKING NO HEARING(S) SCHEDULED

Debarment of Contractors

I.D. No. MTA-23-19-00006-RP

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

Proposed Action: Addition of Part 1004 to Title 21 NYCRR.

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

Subject: Debarment of contractors.

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

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

Section 1004.1 Purpose

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

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

Section 1004.2 Definitions

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

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

(b) *Contract* means an enforceable agreement including a task order entered into by a contractor and the Authority for goods or services entered into after April 12, 2019, in connection with a capital element in an approved capital program plan or a non-capital related agreement, having a value in excess of \$25 million. A contract does not include routine inventory purchases or any contract entered into by the Authority with a participant in the Authority's Small Business Mentoring Program.

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

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

(e) *Contract Modification* means amendments, change orders, additional work orders, or modifications with respect to a contract that are executed in accordance with the terms and conditions of such contract including without limitation extensions of deadlines for excusable delay.

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

(g) *Total adjusted time frame* means the period that a contract provides for a contractor to substantially complete its obligations under the contract. With respect to a contract that includes both design and/or construction services and operation and/or maintenance services, the total adjusted time frame includes only the time that the contract provides for the contractor to substantially complete the design and/or construction services. With respect to contracts for services or for manufacture or supply of materials, equipment, or rolling stock, any of which must be delivered by a deadline, the total adjusted time frame applies to each period that the contract provides for such delivery. In all cases, the total adjusted time frame shall include any adjustments required by the contract for excusable delays, accelerations, scope increases and reductions, or unforeseen circumstances.

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

(i) *Unforeseen circumstance* means an unexpected event or situation that is not reasonably anticipated by a contractor exercising due diligence given existing knowledge of industry practice.

Section 1004.3 Grounds for Debarment

(a) The board of the Authority may debar a contractor pursuant to section 1004.6 if it approves a recommendation to debar by a hearing panel made pursuant to section 1004.5 and 1004.6, including that the contractor has:

(1)(i) failed to substantially complete all the work within the total adjusted time frame by more than ten percent of the total adjusted time frame, or (ii) failed to progress the work in a manner so that it will be substantially complete within ten percent of the total adjusted time frame and has refused or in the opinion of the Authority is unable to accelerate the work so that it will be substantially complete within ten percent of the total adjusted time frame, and such refusal or failure is an event of default under the contract; or (iii) with respect to contracts for services, or for manufacture or supply of materials, equipment, or rolling stock, as to any such services, materials, equipment or rolling stock that must be delivered by a deadline, materially failed to deliver such services, materials, equipment, or rolling stock by more than ten percent of the total adjusted time frame.

(2) asserted a claim or claims for payment of additional amounts beyond the total adjusted contract value and one or more of such claims are determined in whole or in part to be invalid under the contract's dispute resolution process or if no such process is specified in the contract in a final determination made by the chief engineer or otherwise by the Authority, and together the sum of any such invalid claims exceeds by ten percent or more the total adjusted contract value. An invalid claim is a claim or claims that cannot be supported by the facts or a nonfrivolous argument that it is warranted by the contract or existing law. A claim for payment of additional amounts to a subcontractor that a contractor is contractually obliged to submit to the Authority on behalf of such subcontractor that is

determined to be invalid, shall not be deemed to be an invalid claim asserted by the contractor, and shall be deemed an invalid claim submitted by the subcontractor.

(3) The Authority shall initiate a debarment proceeding upon determining that one or more grounds for debarment exist under sections 1004.3(a)(1) or (a)(2), except that (i) if a contractor has made a good faith request for an extension of the total adjusted time frame because of excusable delay or otherwise, which request, if granted by the Authority, would eliminate grounds for debarment under provision (a)(1), the Authority shall defer initiating a debarment proceeding until it has evaluated and determined such request; and (ii) the Authority may defer initiating, or determine not to initiate or pursue, a debarment proceeding for good cause shown, provided that the determination to defer or to not initiate or pursue a debarment proceeding after grounds for debarment have been determined to exist is presented to the Authority's Board for ratification or nullification at the next regularly scheduled meeting thereof. The Authority's Finance Committee shall be notified immediately upon a determination to defer initiating or not initiate or pursue a debarment proceeding, and all such determinations to defer initiating or to not initiate or pursue a debarment proceeding for good cause shown shall be presented to the Authority's Finance Committee for recommendation before submission to the Board. In the event that a determination to defer initiating or to not initiate or pursue a debarment proceeding is rejected by the Board, Authority personnel shall immediately commence a debarment proceeding.

Section 1004.4 Notice of Intent to Debar and Written Response

(a) To commence a debarment proceeding, the Authority shall provide a written notice of intent to debar to the contractor, advising the contractor that it will hold a hearing to make a final determination as to whether a ground for debarment exists. At a minimum, the notice of intent to debar shall:

(1) state the facts upon which the Authority made its preliminary finding that one or both statutory grounds for debarment exist, including the basis for determining as provided in section 1004.3 of this Part that the contractor failed to timely Substantially Complete or the Authority's calculation of costs arising from claims determined to be invalid, and

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

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

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

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

Section 1004.5 Debarment Hearing

(a) A debarment hearing shall be conducted within:

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

(2) 14 calendar days after the date the contractor's response was due, if no response is received from the contractor within the deadline, or within such further reasonable time that the authority shall proscribe.

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

(c) The debarment hearing shall be conducted by a panel of at least two managerial level employees of the MTA designated by majority vote of the Authority's board; provided that no employee who has taken part in the award of or was otherwise directly involved in the contract to such contractor that is the subject of the debarment hearing, or overseen such contractor's performance on any Authority contract, may serve on a panel considering the debarment of such contractor. The debarment panel also shall include at least one neutral party drawn from the American Arbitration Association and independent of any state agency or authority to be chosen by the board of the Authority.

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

(e) A contractor at the debarment hearing may assert any and all defenses in the debarment proceeding. Such defenses that may be asserted by the contractor include but are not limited to force majeure; unforeseen circumstances; good faith efforts to take remedial, corrective or disciplinary action; a lack of bad faith in connection with the contractor's conduct and

other mitigating factors. The contractor may assert excusable delay and such other defenses at a debarment hearing irrespective of whether the Authority has previously ruled on such defenses.

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

Section 1004.6 Debarment Determination and Ratification

(a) After consideration of the defenses raised by the contractor, and after the hearing is completed, the panel shall make a recommendation as to whether all of the facts and circumstances reasonably justify debarment.

(b) The panel's determination shall be by majority vote and set forth in writing. If the debarment determination is that the contractor shall be debarred, the panel shall recommend that the term of the contractor's debarment shall be five years from the date of the ratification of the debarment determination. The panel may, in its discretion, also seek to debar any of the following related entities or individuals: (i) if the panel finds that the contractor was created as a single or limited purpose entity to execute and perform the contract which is the subject of the debarment hearing; or (ii) if the panel finds a material and knowing causal connection between such entity or individual and the ground for the contractor's debarment: (1) the contractor's parent(s), subsidiaries and affiliates; (2) any joint venture (including its individual members) and any other form of partnership (including its individual members) that includes a contractor or a contractor's parent(s), subsidiaries, or affiliates of a contractor; (3) a contractor's directors, officers, principals, managerial employees, and any person or entity with a ten percent or more interest in a contractor; (4) any legal entity controlled, or ten percent or more of which is owned or controlled, by a contractor, or by any director, officer, principal, managerial employee of contractor, or by any person or entity with a 10 percent or greater interest in contractor, including without limitation any new entity created after the date of the notice of intent to debar. If the panel seeks to debar any such related entity or individual, it shall issue a written notice of intent to debar to each such entity or individual and provide each a reasonable opportunity to be heard on the issue of whether they had a material and knowing causal connection to the conduct and circumstances underlying the contractor's debarment.

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

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

(e) Pursuant to Executive Order No. 192, the Authority shall notify the New York State Office of General Services of any final debarment determination within five days of the date it is ratified by the board of the Authority.

Revised rule compared with proposed rule: Substantive revisions were made in sections 1004.2, 1004.3, 1004.4, 1004.5 and 1004.6.

Text of revised proposed rule and any required statements and analyses may be obtained from Peter Sistrom, Deputy General Counsel, Metropolitan Transportation Authority, 2 Broadway, 4th Floor, New York, NY 10004, (212) 878-7176, email: psistrom@mtahq.org

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

Public comment will be received until: 45 days after publication of this notice.

Revised Regulatory Impact Statement

Statutory Authority:

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

Legislative Objectives:

The Legislature enacted the new Section 1279-h of the Public Authorities Law as part of the 2020 Budget. It requires the MTA to establish a process that will debar for five years any contractor who either fails to

substantially complete the work within the time frame set by the contract, or in any subsequent change order, by more than ten percent of the contract term, or whose disputed work exceeds ten percent or more of the total contract cost where claimed costs are deemed to be invalid pursuant to the contractual dispute resolution process. And the statute requires that the debarment process ensures that contractors have notice and an opportunity to be heard including the opportunity to present as a defense acts such as force majeure. The proposed rule accords with this legislative objective by establishing a process for debarment of contractors.

Needs and Benefits:

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

Costs:

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

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

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

Paperwork:

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

Local Government Mandates:

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

Duplication:

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

Alternatives:

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

Federal Standards:

The proposed rule does not exceed any Federal minimum standards.

Compliance schedule:

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

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

Changes made to the last published rule do not necessitate revision to the previously published statement explaining why the last published rule did not require a regulatory flexibility analysis for small business and local governments, a rural area flexibility analysis, or a job impact statement.

Assessment of Public Comment

On May 22, 2019, the MTA submitted to the Secretary of State a Notice of Emergency Adoption and Proposed Rulemaking; it was published in the New York State Register on June 5. The emergency rule, which was identical to the proposed rule and added a new Part 1004 to Title 21 of the Official Compilation of Codes, Rules and Regulations of the State of New York, became effective upon filing. The emergency rule was filed to give immediate effect to Public Authorities Law § 1279-h which was signed into law on April 12, 2019. The statute, which became effective immediately upon signing, required the MTA to promulgate regulations providing a procedure for the debarment of contractors doing business with the MTA if the criteria set forth in the statute have been met. Specifically, the statute limits the applicability of the debarment procedure to two enumerated instances—delay in completing contract performance by more than ten percent of the contract term, or the submission of invalid claims in excess of ten percent of the contract value—as set forth in the statute. The same emergency rule was continued by re-adoptions on August 19, October 18, December 16, 2019, and February 14 and April 14, 2020.

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

- 17 trade associations representing, among others, general contractors, sureties, electrical contractors, architectural and engineering consultants, and subcontractors;

- 27 individual firms that have and continue to do construction-related work for the MTA; and

• 5 other commenters, including the Citizens Budget Commission and the Partnership for New York City.

Many of these commenters called debarment of contractors simply for being late or over budget unduly harsh and punitive but that was the Legislature's decision in enacting Section 1279-h. As for comments directed to the MTA's proposed debarment procedure to implement Section 1279-h, in summary the commenters:

- Asserted that the debarment procedure should not apply to contracts entered before Public Authorities Law § 1279-h, took effect in April 2019. Applying the procedure to pre-existing contracts would, they commenters asserted, violate their constitutional due process rights and be unfair because their bid prices did not consider the added risk of debarment.

- Urged MTA to exclude contractors who participate in the MTA's Small Business Mentoring Program.

- Objected because one ground for debarment under the proposed rule—submitting payment claims in an amount in excess of ten percent of the amount determined to be valid—in their view would give the MTA too much discretion to debar contractors for submitting in good faith payment claims that are denied by the MTA's dispute resolution process.

- Suggested that it was unfair to hold contractors accountable for payment claims by their subcontractors that they are contractually obligated to forward to MTA whether they believe them valid.

- Criticized the proposed debarment procedure as inflexible for not allowing the MTA discretion to consider some commenters called "mitigating factors."

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

MTA gave careful thought to all the public comments and in response has revised the rule in several ways and because those revisions could be considered substantial, the MTA is publishing them for additional public comment.

In response to the concerns and objections, the revised rule modifies the rule published in June 2019 for comment in four ways.

First, the revised rule narrows the scope of the debarment rule as follows:

- eliminates retroactive application of the debarment procedure by making it apply only to contracts entered into after the statute took effect in April 2019 and also awarded in connection with a capital element in an approved capital program plan or a non-capital plan contract with value more than \$25 million. [Section 1004.2(b)]

- applies only to those with whom the MTA has directly entered into a contract, not subcontractors. [1004.2(c)]

- does not apply to routine inventory purchases or contracts awarded as part of the MTA's Small Business Mentoring Program. [1004.2(b)]

- defines "invalid claim" as a claim for payment that cannot be supported by the facts or a nonfrivolous argument that it is warranted by the contract or existing law. [1004.3(a)(2)]

- provides that an invalid claim for payment that the contractor is contractually obliged to submit to the MTA for a subcontractor does not affect the contractor. [1004.2(b)]

Second, the revised rule injects flexibility into the determination as to whether to initiate a debarment proceeding in the first instance by providing that:

- the MTA Board may but is not required to debar a contractor. [1004.3(a)]

- the MTA may defer initiating or pursuing a debarment (1) if the contractor has made a good faith request to extend the contract because of excusable delay and, if granted, the contractor would not be late, or (2) for good cause shown. MTA Board must ratify or nullify any determination not to initiate or pursue a debarment proceeding. [1004.3(a)(3)]

- contractors may assert any and all defenses at a debarment hearing including unforeseen circumstances, good faith efforts to take remedial, corrective action; lack of bad faith, and excusable delay. [1004.5(e)]

Third, the revised rule changes the composition of the three-member hearing panel, from three MTA employees to a panel that includes only two MTA employees and one neutral party from the American Arbitration Association who is independent of any State agency or public authority. [1004.5(c)]

Finally, the revised rule addresses concerns relating to debarment of a contractor's related parties and individuals by providing that:

- the panel may debar a contractor's related entities or individuals only if (i) the contractor was created as a single or limited purpose entity to execute and perform the contract, or (ii) the related entity or individual had a material and knowing causal connection to the contractor's conduct. [1004.6(b)]

- the panel must send written notice of intent to debar to any related entity or individual it seeks to debar and provide a reasonable opportunity to be heard. [1004.6(b)]

Public Service Commission

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Modifications to Electric Utility Dynamic Load Management (DLM) Demand Reduction Programs

I.D. No. PSC-22-20-00001-EP

Filing Date: 2020-05-14

Effective Date: 2020-05-14

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

Proposed Action: The Public Service Commission is considering adopting an order on May 14, 2020, directing New York's six investor owned electric utilities (the utilities) to modify their effective tariffs such that: (1) dynamic load management application deadlines shall be extended to June 1, 2020 for a July 1, 2020 start date; (2) participants shall be allowed to modify their enrolled kilowatt load relief amount on a monthly basis; (3) interval metering requirements shall be relaxed to allow customers with utility-provided interval meters additional time to obtain communications services; and (4) the utilities shall not call Test Events until July 1, 2020 at the earliest.

Statutory authority: Public Service Law, sections 65(1), (2), (3), 66(1), (2), (3), (5), (8) and (10)

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

Specific reasons underlying the finding of necessity: This action is taken on an emergency basis pursuant to State Administrative Procedure Act (SAPA) § 202(6). The modifications are necessary to address the consequences the State of Emergency related to the COVID-19 virus. The effects of the COVID-19 virus and the associated State Disaster Emergency, including illness, limitations on work and travel, and economic impacts, are likely to make it difficult for some providers of demand response to meet current dynamic load management (DLM) program requirements. This would result in less demand response program participation and would likely result in participant hesitation to engage in future DLM capability periods. As a result, compliance with the advance notice and comment requirements of SAPA § 202(1) would be contrary to the public interest, and the modification of the Notice Period Order is necessary for the preservation of the health, safety and general welfare pursuant to SAPA § 202(6).

Subject: Modifications to electric utility dynamic load management (DLM) demand reduction programs.

Purpose: To encourage DLM participation in summer 2020 capability period despite uncertainty due to the State Disaster Emergency.

Substance of emergency/proposed rule: The Public Service Commission is considering adopting an order on May 14, 2020, directing New York's six investor owned electric utilities (the utilities) to modify their effective tariffs for the summer 2020 dynamic load management (DLM) capability period to enable demand response providers to participate despite the uncertainty caused by the current State Disaster Emergency. The Commission is considering directing the utilities to modify their tariffs such that: (1) DLM application deadlines shall be extended to June 1, 2020 for a July 1, 2020 start date; (2) participants shall be allowed to modify their enrolled kilowatt (kW) load relief amount on a monthly basis; (3) interval metering requirements shall be relaxed to allow customers with utility-provided interval meters additional time to obtain communications services; and (4) the utilities shall not call Test Events until July 1, 2020 at the earliest. The immediate adoption of these tariff amendments for the summer 2020 capability period are necessary for the preservation of the general welfare as a result of impacts of the New York on PAUSE Executive Order on the demand response industry.

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 August 11, 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-E-0423EP3)

NOTICE OF ADOPTION

Waiver for Use of Corporate Name

I.D. No. PSC-47-19-00011-A

Filing Date: 2020-05-15

Effective Date: 2020-05-15

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

Action taken: On 5/14/20, the PSC adopted an order granting National Grid's waiver and directing National Grid to revise its code of conduct to allow for future co-marketing opportunities with third party providers to promote energy efficiency programs and services.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Waiver for use of corporate name.

Purpose: To grant National Grid's waiver and direct National Grid to revise its code of conduct for future co-marketing opportunities.

Substance of final rule: The Commission, on May 14, 2020, adopted an order granting KeySpan Gas East Corporation d/b/a National Grid (KEDLI), Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), and The Brooklyn Union Gas Company d/b/a National Grid NY's (KEDNY, collectively National Grid) waiver for co-marketing with Sealed Inc. and directed National Grid to revise section 3.6.1 of Niagara Mohawk's code of conduct and section 6.1 of KEDNY and KEDLI's code of conduct to allow for future co-marketing opportunities with third party providers of energy efficiency service to promote energy efficiency programs and services. The prohibition against the use of the "National Grid" name in the KeySpan Gas East Corporation d/b/a National Grid, Niagara Mohawk Power Corporation d/b/a National Grid, and the Brooklyn Union Gas Company d/b/a National Grid NY codes of conduct is waived for the proposed co-marketing with Sealed, Inc. as discussed in the body of the order. Within 30 days from the issuance of the order, National Grid is directed to file revised codes of conduct consistent with Appendix A of the order. Also, within 30 days from the issuance of the order, National Grid is directed to file with the Secretary a list of its current third-party energy efficiency partners with whom they are co-marketing and the associated programs. This list shall be updated within 30 days of commencing a new co-marketing program. This requirement shall continue through 2025, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(19-G-0690SA1)

NOTICE OF ADOPTION

Extension and Expansion of the NY-Sun Program

I.D. No. PSC-50-19-00006-A

Filing Date: 2020-05-14

Effective Date: 2020-05-14

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

Action taken: On 5/14/20, the PSC adopted an order approving New York

State Energy Research and Development Authority's (NYSERDA) petition for the extension and expansion of the NY-Sun Program.

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

Subject: Extension and expansion of the NY-Sun Program.

Purpose: To approve NYSEDA's petition for the extension and expansion of the NY-Sun Program.

Substance of final rule: The Commission, on May 14, 2020, adopted an order approving New York State Energy Research and Development Authority's (NYSERDA) petition for the extension and expansion of the NY-Sun Program to have a target of 6 gigawatts, to run through 2025, and to have its funding level increased by \$573 million. NYSEDA is authorized to use uncommitted funds, in an amount of up to \$230 million, for incremental NY-Sun activities. NYSEDA shall file an updated NY-Sun Operating Plan reflecting the decisions in this Order by June 1, 2020. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation are directed to file, in conformance with the discussion in the body of the Order, tariff leaves modifying the description of projects currently described as "remote net metered" but compensated using the Value Stack to "remote crediting" and modifying the rules such projects to allow remote crediting projects to distribute credits among up to ten customers, on not less than 15 days' notice to become effective on November 1, 2020. NYSEDA is also directed to file a report on any material changes resulting from the impacts of the COVID-19 pandemic on the distributed solar industry, and, particularly, its ability to support disadvantaged communities, no later than 30 days after the issuance of the order, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(19-E-0735SA1)

NOTICE OF ADOPTION

Transfer of All Water Supply Assets and Dissolution of Company

I.D. No. PSC-01-20-00010-A

Filing Date: 2020-05-15

Effective Date: 2020-05-15

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

Action taken: On 5/14/20, the PSC adopted an order approving the Town of North Collins (Town) and Lawtons Water Company's (Company) petition for the transfer of all the Company's water supply assets to the Town and the dissolution of the Company.

Statutory authority: Public Service Law, sections 4(1), 89-c(1), (10), 89-h(1) and 108

Subject: Transfer of all water supply assets and dissolution of company.

Purpose: To approve the transfer of all the Company's water supply assets to the Town and the dissolution of the Company.

Substance of final rule: The Commission, on May 14, 2020, adopted an order approving the Town of North Collins (Town) and Lawtons Water Company's (Company) petition for the transfer of all the Company's water supply assets to the Town and the dissolution of the Company after the transfer is complete. Within 30 days of the date of closing, Lawtons Water Company shall file with the Secretary to the Commission copies of documents showing that the transfer of the water supply assets to the Town of North Collins has occurred. Within 30 days of the date of closing, Lawtons Water Company is directed to file a cancellation supplement, cancelling its tariff schedule P.S.C. No. 1 – Water, supplements, and statements, to become effective on not less than one day's notice, subject to the terms and conditions set forth in the order.

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

Text of rule may be obtained from: John Pitucci, Public Service Commis-

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(19-W-0744SA1)

NOTICE OF ADOPTION

Electric Emergency Response Plans

I.D. No. PSC-02-20-00005-A

Filing Date: 2020-05-14

Effective Date: 2020-05-14

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

Action taken: On 5/14/20, the PSC adopted an order approving the amended Electric Emergency Response Plans, filed from May 6, 2020 through and including May 12, 2020, by six electric utilities.

Statutory authority: Public Service Law, sections 5(1)(b), 66(21)(a) and (b)

Subject: Electric Emergency Response Plans.

Purpose: To approve the amended Electric Emergency Response Plans.

Text or summary was published in the January 15, 2020 issue of the Register, I.D. No. PSC-02-20-00005-P.

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

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(19-E-0742SA1)

NOTICE OF ADOPTION

Application of ESM

I.D. No. PSC-02-20-00006-A

Filing Date: 2020-05-18

Effective Date: 2020-05-18

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

Action taken: On 5/14/20, the PSC adopted an order approving Orange and Rockland Utilities, Inc.'s (O&R) petition to correct the application in which the Earnings Sharing Mechanism (ESM) is applied to a partial year period.

Statutory authority: Public Service Law, sections 4, 65 and 66

Subject: Application of ESM.

Purpose: To approve O&R's petition to correct the application of ESM to the partial year period.

Substance of final rule: The Commission, on May 14, 2020, adopted an order approving Orange and Rockland Utilities, Inc.'s (O&R) petition to correct the application in which the Earnings Sharing Mechanism is applied to a partial year period, or stub period, of November 1, 2018 through December 31, 2018. O&R is directed to file with the Secretary, within 30 days of the date of issuance of the order, a revised earnings sharing report for the partial year period of November 1, 2018 through December 31, 2018, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(14-G-0494SA2)

NOTICE OF ADOPTION

Smart AC Kit Program

I.D. No. PSC-07-20-00006-A

Filing Date: 2020-05-15

Effective Date: 2020-05-15

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

Action taken: On 5/14/20, the PSC adopted an order approving Consolidated Edison Company of New York, Inc. (Con Edison) petition to discontinue the Smart AC Kit Program.

Statutory authority: Public Service Law, section 66(1) and (12)(a)

Subject: Smart AC Kit Program.

Purpose: To approve Con Edison's petition to discontinue the Smart AC Kit Program.

Text or summary was published in the February 19, 2020 issue of the Register, I.D. No. PSC-07-20-00006-P.

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

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(20-E-0008SA1)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-07-20-00009-A

Filing Date: 2020-05-18

Effective Date: 2020-05-18

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

Action taken: On 5/14/20, the PSC adopted an order approving Rochester Gas and Electric Corporation's (RG&E) petition to transfer street lighting facilities located within the Town of Williamson to the Town of Williamson.

Statutory authority: Public Service Law, section 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To approve RG&E's petition to transfer street lighting facilities to the Town of Williamson.

Text or summary was published in the February 19, 2020 issue of the Register, I.D. No. PSC-07-20-00009-P.

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

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(20-E-0030SA1)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-07-20-00011-A

Filing Date: 2020-05-18

Effective Date: 2020-05-18

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

Action taken: On 5/14/20, the PSC adopted an order approving New York State Electric & Gas Corporation's (NYSEG) petition to transfer street lighting facilities located within the Town of Fallsburg to the Town of Fallsburg.

Statutory authority: Public Service Law, section 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To approve NYSEG's petition to transfer street lighting facilities to the Town of Fallsburg.

Text or summary was published in the February 19, 2020 issue of the Register, I.D. No. PSC-07-20-00011-P.

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

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

Assessment of Public Comment

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

(20-E-0031SA1)

NOTICE OF ADOPTION

Transfer of Stock Ownership

I.D. No. PSC-08-20-00002-A

Filing Date: 2020-05-15

Effective Date: 2020-05-15

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

Action taken: On 5/14/20, the PSC adopted an order approving N.E.A. Cross of N.Y., Inc.'s (NEA Cross) petition for the transfer of stock ownership from the Estate of Vincent L. Cross to Michael G. Cross.

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

Subject: Transfer of stock ownership.

Purpose: To approve NEA Cross' petition for the transfer of stock ownership.

Substance of final rule: The Commission, on May 14, 2020, adopted an order approving N.E.A. Cross of N.Y., Inc.'s (NEA Cross) petition for the transfer of ownership for all issued and outstanding stock of NEA Cross from the Estate of Vincent L. Cross to Michael G. Cross. NEA Cross is directed to file copies of documents showing proof of the transfer of stock, within 30 days of the transfer, to the Secretary to the Commission. NEA Cross is directed to notify its customers of the Commission's decision in this proceeding within 30 days of the transfer of stock. NEA Cross is also directed to file a copy of the customer notification with the Secretary to the Commission, within five days of the notification, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(20-G-0026SA1)

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Waiver of Certain Commission Requirements Related to the Distribution of Telephone Directories

I.D. No. PSC-22-20-00005-P

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

Proposed Action: The Commission is considering a petition by Nicholville Telco LLC d/b/a Nicholville Telephone Company (Nicholville) for a waiver of 16 NYCRR 602.10(b) pertaining to the distribution of telephone directories.

Statutory authority: Public Service Law, section 94(2)

Subject: Waiver of certain Commission requirements related to the distribution of telephone directories.

Purpose: To reduce unnecessary waste and disposal of directory listings.

Substance of proposed rule: The Commission is considering a petition, filed by Nicholville Telco LLC d/b/a Nicholville Telephone Company (Nicholville) on March 11, 2020, for a waiver of New York Code of Rules and Regulations, Title 16, Section 602.10(b) pertaining to the distribution of telephone directories. In accordance with this rule, Nicholville annually publishes and delivers to all customers a printed directory of residential and business white page listings along with yellow page listings.

Nicholville requests authorization to discontinue the blanket distribution of "hard copy" directories to all customers, citing the same relief requested by and granted to Verizon New York, Inc. and its publisher in Case Nos. 16-C-0186 and 16-C-0190, respectively. If granted, the waiver requested in this petition would allow Nicholville to make residential, business, and yellow page directory listings available to customers online at no charge, or in CD-ROM and printed formats, upon request, at no charge. Nicholville asserts that the waiver, if granted, will preserve and protect the environment while maintaining the availability of telephone listings at no charge to customers.

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

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

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

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

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

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

(20-C-0127SP1)

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Proposed Tariff Amendment Regarding the Billing of Customers Participating in the Preservation Power Program

I.D. No. PSC-22-20-00006-P

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

Proposed Action: The Commission is considering a proposal filed by Niagara Mohawk Power Corporation d/b/a National Grid to revise P.S.C. No. 220—Electricity, to eliminate the demand ratchet for customers of the New York Power Authority's Preservation Program.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Proposed tariff amendment regarding the billing of customers participating in the Preservation Power Program.

Purpose: To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Substance of proposed rule: The Commission is considering a proposed tariff amendment filed by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid) on May 8, 2020, to amend its electric tariff schedule, P.S.C. No. 220 – Electricity.

National Grid proposes to modify Service Classification No. 4 – Untransformed Service to Certain Customers Taking Power from Projects of the New York Power Authority (NYPA) – to eliminate the demand ratchet from the billing provisions for customers participating in NYPA’s Preservation Power program. The demand ratchet reflects the highest 30-minute integrated demand recorded on the customer’s meter in the twelve months ending with the current billing period. According to National Grid, customers participating in NYPA’s Preservation Power program have been billed without the demand ratchet, consistent with how National Grid bills customers participating in other NYPA programs. The proposed modifications correct the language in the tariff, to make the tariff provisions consistent with the billing methodology used for National Grid’s customers participating in other NYPA programs. The proposed amendment has an effective date of October 1, 2020.

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.

(20-E-0232SP1)

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

Changes to PSL Section 66-p Relating to Billing Information for Residential Rental Premises

I.D. No. PSC-22-20-00007-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 Corning Natural Gas Corporation to modify its gas tariff schedule regarding changes to PSL Section 66-p relating to billing information for residential rental premises.

Statutory authority: Public Service Law, sections 65, 66 and 66-p

Subject: Changes to PSL Section 66-p relating to billing information for residential rental premises.

Purpose: To establish provisions as necessary to effectuate PSL Section 66-p.

Substance of proposed rule: The Commission is considering a proposal filed by Corning Natural Gas Corporation (Corning or the Company) on May 12, 2020, to amend its gas tariff schedule, P.S.C. No. 7, to establish provisions relating to billing information for residential rental properties in accordance with the recently enacted Public Service Law Section 66-p, which became effective on April 18, 2020.

Corning proposes to include language in its gas tariff specifying that the Company shall provide the prospective tenant and landlord or other authorized person of prospective residential premises the total gas charges incurred for the life at such premises, or the preceding two-year period, whichever is shorter, within ten days of receipt of the written request, at no cost to the requestor. The proposed amendments have an effective date of September 1, 2020.

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.

(20-M-0029SP13)

Department of State

**REGULATORY IMPACT
STATEMENT,
REGULATORY FLEXIBILITY
ANALYSIS, RURAL AREA
FLEXIBILITY ANALYSIS
AND/OR
JOB IMPACT STATEMENT**

Acceptance of Human Remains for Cremation During an Emergency

I.D. No. DOS-20-20-00006-E

This regulatory impact statement, regulatory flexibility analysis, rural area flexibility analysis and/or job impact statement pertain(s) to a notice of Emergency rule making, I.D. No. DOS-20-20-00006-E, printed in the *State Register* on May 20, 2020.

Regulatory Impact Statement

1. Statutory Authority: Executive Law section 91 authorizes the Secretary of State to adopt rules which shall regulate and control the exercise of the powers of the Department of State, and Not-For-Profit Corporation Law (N-PCL) section 1504 (c) authorizes the State Cemetery Board to adopt rules and regulations it deems necessary for the proper administration of N-PCL Article 15 (Public Cemetery Corporations).

2. Legislative Objectives: The legislative intent of N-PCL Article 15 is, among other things: to promote the State’s interest in the establishment, maintenance, and preservation of cemeteries and the proper operation of the corporations which own and manage them; to protect the well-being of citizens; to promote the public welfare; to prevent cemeteries from falling into disrepair and dilapidation, and becoming a burden upon the community; and to ensure that cemeteries are conducted on a non-profit basis for the mutual benefit of the public. Sections 1502(o) and 1517(c)(1) of the Not-for-Profit Corporation Law require that a next of kin or authorizing agent authorize cremation by a signed authorization form and prohibit crematories from cremating remains without the form.

3. Needs and Benefits: 19 NYCRR section 203.13(c) requires that the cremation authorization form set forth the name and address of the crematory, provide explicit authorization to cremate the remains, be signed by the person in control of disposition, and be signed by the funeral director as a witness to its execution. However, during a pandemic a crematory may have to reject delivery of bodies, for example if it is already at capacity or a crematory retort has to be shut down because of overuse. This would require that the name and address of the crematory be changed on the form. The addition of new section 203.14 to part 203 of Title 19 is needed to permit a crematory to accept remains when they are delivered with an authorization form in which the identity of the intended crematory has been manually corrected by a funeral director or a person authorized to deliver remains on behalf of a funeral director. The rule only permits this to occur if the crematory is able to verify the intended final disposition for the remains, and if the person in control of disposition has been made aware of and has consented to delivery of the remains to a different crematory. The rule only applies if the Governor has declared a disaster emergency pursuant to section 28 of the Executive Law or the Cemetery Board determines that emergency conditions exist that substantially delay timely cremation of human remains.

4. Costs: There will be no cost for compliance as the rule does not impose a fee and should save time and expense by simplifying the procedure for sending remains to a different crematory.

5. Local Government Mandates: The rule does not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

6. Paperwork: The rule would simplify paperwork requirements during a declared emergency.

7. Duplication: These regulations would not duplicate existing State or Federal regulations.

8. Alternatives: The cremation authorization form has been modified to allow the person executing it to grant permission to the funeral director to send remains to an alternative crematory by manually correcting the form. The alternative of not promulgating this regulation would substantially delay timely cremation of human remains during a declared emergency.

9. Federal Standards: At this time there are no federal standards with regard to delivery of remains to an alternative crematory.

10. Compliance Schedule: This rule becomes effective immediately upon filing.

Regulatory Flexibility Analysis

1. Effect of Rule: There are 49 crematories throughout the State that are under the jurisdiction of the Division of Cemeteries which will be affected by this rule. Funeral homes will also be affected by this rule. This rule would not affect any local governments.

2. Compliance Requirements: This rule would allow crematories to accept remains when they are delivered with a cremation authorization form in which the identity of the intended crematory has been manually corrected by a funeral director or a person authorized to deliver remains on behalf of a funeral director. This rule makes it easier for remains to be delivered to a crematory other than the one that was originally designated in the authorization form. 19 NYCRR section 203.13(c) requires that the cremation authorization form set forth the name and address of the crematory, provide explicit authorization to cremate the remains, be signed by the person in control of disposition, and be signed by the funeral director as a witness to its execution. However, during a pandemic a crematory may have to reject delivery of bodies, for example if it is already at capacity or a crematory retort has to be shut down because of overuse. This rule avoids having to have a new form signed and witnessed when the identity of the crematory is changed. The rule only permits this to occur if the crematory is able to verify the intended final disposition for the remains, and if the person in control of disposition has been made aware of and has consented to delivery of the remains to a different crematory. The rule only applies if the Governor has declared a disaster emergency pursuant to section 28 of the Executive Law or the Cemetery Board determines that emergency conditions exist that substantially delay timely cremation of human remains.

3. Professional Services: No professional services are implicated by this rule.

4. Compliance Costs: There will be no cost for compliance as the rule does not impose a fee and should save time and expense by simplifying the procedure for sending remains to a different crematory.

5. Economic and Technological Feasibility: It is economically and technologically feasible for crematories and funeral homes to comply with the regulation. This rule imposes no substantial capital expenditures. No new technology need be developed for compliance with this rule.

6. Minimizing Adverse Impact: There is no anticipated adverse economic impact of this rule for small businesses and local governments.

7. Small Business and Local Government Participation: The Cemetery Board voted to adopt this rule at a public meeting held on May 1, 2020. The meeting agenda and text of the proposed rule were publicly posted before the meeting and the rule text and Finding of Necessity have been posted on the website of the Division of Cemeteries after the rule was adopted. The meeting was attended by a representative of the New York State Association of Cemeteries as well as representatives of a number of cemeteries. Attendees who spoke at the meeting were supportive.

Rural Area Flexibility Analysis

1. Types and Estimated Number of Rural Areas: Slightly less than half the 49 crematories in the state are located in rural areas.

2. Reporting, Recordkeeping, and other Compliance Requirements; and Professional Services: This rule makes it easier for remains to be delivered to a crematory other than the one that was originally designated in a cremation authorization form. This rule avoids having to have a new form signed and witnessed when the identity of the crematory is changed. The revised authorization form is subject to the same record-keeping requirements for any authorization form; it must be retained in the permanent file of the crematory. No new reporting or record-keeping requirement is imposed and no additional professional services would be required to comply.

3. Costs: There will be no cost for compliance as the rule does not impose a fee and should save time and expense by simplifying the procedure for sending remains to a different crematory.

4. Minimizing Adverse Impact: There is no anticipated adverse economic impact of this rule for rural regions.

5. Rural Area Participation: The Cemetery Board voted to adopt this rule at a public meeting held on May 1, 2020. The meeting agenda and text of the proposed rule were publicly posted before the meeting and the rule text and Finding of Necessity have been posted on the website of the Division of Cemeteries after the rule was adopted. The meeting was attended by a representative of the New York State Association of Cemeteries as well as representatives of a number of cemeteries. Attendees who spoke at the meeting were supportive.

Job Impact Statement

A Job Impact Statement is not required because it is evident from the nature and purpose of this regulation that it would neither create nor eliminate employment positions and/or opportunities and therefore would have no adverse impact on jobs or employment opportunities in New York State.

Department of Taxation and Finance

EMERGENCY RULE MAKING

Property Tax Levy Limits for School Districts in Relation to Certain Costs Resulting from Capital Local Expenditures

I.D. No. TAF-02-20-00001-E

Filing No. 341

Filing Date: 2020-05-13

Effective Date: 2020-05-13

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

Action taken: Addition of Part 8300 to Title 20 NYCRR.

Statutory authority: Education Law, section 2023-a(2)(c); Tax Law, section 171, subdivision First

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

Specific reasons underlying the finding of necessity: The Commissioner is required, pursuant to Education Law section 2023-a(2)(c), to, as appropriate, promulgate rules and regulations that may provide for adjustment of capital local expenditures to reflect a school district's share of additional budgeted capital expenditures made by a board of cooperative educational services (BOCES).

These amendments adding new Part 8300 to 20 NYCRR are consistent with this statutory requirement and are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES.

This rule is being re-adopted on an emergency basis in order to allow school districts to include in their capital local expenditures for their 2020-21 school budgets their allowable share of additional budgeted capital expenditures made by a BOCES.

Subject: Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures.

Purpose: To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts.

Text of emergency rule: A new Part 8300 is added to read as follows:

Part 8300

Capital Local Expenditures for School District's Share of Additional Budgeted Capital Local Expenditures Made by a Board of Cooperative Educational Services

Section 8301. *Definition of Capital Local Expenditures.*

(a) Pursuant to Education Law Section 2023-a, beginning in the 2020-2021 school year and each school year thereafter, school districts may increase their property tax levy above the levy limit for certain costs resulting from Capital Local Expenditures, including the allowable share of board of cooperative educational services (BOCES) capital expenditures.

(b) For purposes of this section, Capital Local Expenditures are defined as those expenditures, including a school district's allowable share of BOCES capital expenditures, resulting from the financing, refinancing, acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for school district/BOCES capital facilities, school district/BOCES capital equipment, including debt service and lease expenditures, and transportation capital debt service, subject to the approval of the qualified voters where required by law.

(c) *Capital Local Expenditures must be for projects with a period of probable usefulness as defined in Local Finance Law.*

(d) *Capital Local Expenditures do not include expenditures for maintenance or operations.*

(e) *For the purposes of calculating the levy limit for 2020-2021, a district's share of BOCES capital expenditures in 2019-2020 must be added to the calculation of the prior year capital local expenditures.*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. TAF-02-20-00001-EP, Issue of January 15, 2020. The emergency rule will expire July 11, 2020.

Text of rule and any required statements and analyses may be obtained from: Kathleen D. Chase, Regulations Specialist, Department of Taxation and Finance, Office of Counsel, Building 9, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4153, email: kathleen.chase@tax.ny.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Tax Law, section 171, subdivision First, generally authorizes the Commissioner of Taxation and Finance to promulgate regulations; Education Law section 2023-a(2)(c) provides that the Commissioner of Taxation and Finance shall, as appropriate, promulgate rules and regulations that may provide for adjustment of capital local expenditures to reflect a school district's share of additional budgeted capital expenditures made by a board of cooperative educational services (BOCES).

2. LEGISLATIVE OBJECTIVES:

The amendments adding new Part 8300 to 20 NYCRR are consistent with the above statutory authority and are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES.

3. NEEDS AND BENEFITS:

Education Law section 2023-a provides that, unless otherwise provided by law, the amount of taxes that may be levied by or on behalf of any school district, other than a school district of a city with 125,000 inhabitants or more, shall not exceed the tax levy limit established pursuant to such section. This section provides for separate approval of certain capital local expenditures and also provides that the Commissioner of Taxation and Finance shall, as appropriate, promulgate rules and regulations that may provide for adjustment of capital local expenditures to reflect a school district's share of additional budgeted capital expenditures made by a BOCES.

Under this authority the proposed amendments provide that, beginning in the 2020-2021 school year and each school year thereafter, school districts may include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES.

4. COSTS:

a. Costs to State government: The amendments do not impose any costs on State government.

b. Costs to local government: The amendments do not impose any costs on local government.

c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: The amendments do not impose any costs on the regulating agency for implementation and continued administration.

5. LOCAL GOVERNMENT MANDATES:

The amendments do not impose any additional program, service, duty or responsibility upon any local government.

6. PAPERWORK:

The amendments do not impose any additional paperwork requirements.

7. DUPLICATION:

The amendments do not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The amendments are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES. There were no significant alternatives and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

It is anticipated that all regulated parties will be in compliance with the amendments when they take effect.

Regulatory Flexibility Analysis

(a) Small businesses:

1. EFFECT OF RULE:

These amendments are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a board of cooperative educational

services (BOCES). The amendments do not affect small business taxpayers any differently than other taxpayers.

2. COMPLIANCE REQUIREMENTS:

The amendments are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES and do not impose any additional compliance requirements.

3. PROFESSIONAL SERVICES:

The amendments do not impose any additional professional services requirements on small businesses.

4. COMPLIANCE COSTS:

The amendments do not impose any additional program, service, duty, responsibility or cost on small businesses, beyond those inherent in the implementation of Education Law section 2023-a.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The rule does not impose any additional costs or technological requirements on small businesses.

6. MINIMIZING ADVERSE IMPACT:

The amendments provide school districts with flexibility to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES. The amendments minimize adverse impact on local governments and do not impose any additional costs to the State, regulated parties, or the Department of Taxation and Finance beyond those inherent in the implementation of Education Law section 2023-a. Accordingly, no alternatives were considered.

7. SMALL BUSINESS PARTICIPATION:

Comments on the rule will be solicited from the United States Chamber of Commerce Small Business Council.

(b) Local government:

1. EFFECT OF RULE:

The amendments apply to each of the 695 public school districts in the State.

2. COMPLIANCE REQUIREMENTS:

The amendments are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES and do not impose any additional compliance requirements.

3. NEEDS AND BENEFITS:

Education Law section 2023-a provides that, unless otherwise provided by law, the amount of taxes that may be levied by or on behalf of any school district, other than a school district of a city with 125,000 inhabitants or more, shall not exceed the tax levy limit established pursuant to that section. Section 2023-a provides for separate approval of certain capital local expenditures and also provides that the Commissioner of Taxation and Finance shall, as appropriate, promulgate rules and regulations that may provide for adjustment of capital local expenditures to reflect a school district's share of additional budgeted capital expenditures made by a BOCES.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendments apply to all school districts in the State, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

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

The proposed amendments are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a board of cooperative educational services (BOCES).

3. COMPLIANCE COSTS:

The proposed amendments do not impose any additional costs on the State, regulated parties, or the Department of Taxation and Finance, beyond those inherent in the implementation of Education Law section 2023-a.

4. MINIMIZING ADVERSE IMPACT:

Since the proposed amendments provide school districts with flexibility to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a BOCES, the proposed amendments minimize adverse impacts on rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed amendments will be solicited from the State Education Department's Rural Advisory Committee, whose membership includes school districts located in rural areas.

Job Impact Statement

These amendments are necessary to allow school districts to include in their capital local expenditures their allowable share of additional budgeted capital expenditures made by a board of cooperative educational services.

The amendments will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the amendments that they will have no impact on jobs or employment opportunities attributable to the adoption of the rule, or only a positive impact, no affirmative steps were needed to ascertain these facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

The agency received no public comment.

Workers' Compensation Board

EMERGENCY RULE MAKING

Reimbursement for COVID-19 Testing

I.D. No. WCB-22-20-00002-E

Filing No. 351

Filing Date: 2020-05-18

Effective Date: 2020-05-18

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

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

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

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 provide reimbursement for COVID-19 testing when it is necessary because workers' compensation benefits are being sought due to work-place exposure to COVID-19, in order to confirm current presence of the COVID-19 virus.

Subject: Reimbursement for COVID-19 testing.

Purpose: To allow reimbursement for COVID testing when benefits sought due to work-place exposure to COVID-19.

Text of emergency rule: A new subdivision (d) of section 329-1.3 of Title 12 NYCRR is hereby added as follows:

(d) When workers' compensation benefits are sought due to a work-place exposure to COVID-19, reimbursement for serological, molecular or other reliable testing to confirm a current COVID-19 viral infection may be made using CPT code 87635.

(1) The RVU for CPT code 87635 shall be \$39.18, and the total fee for such test shall be \$51.33 for Region IV, \$47.41 for Region III, and \$41.53 for Regions I and II.

(2) CPT code 87635 may only be billed when there is a claim for workers' compensation due to a COVID-19 infection as a result of a work-place exposure.

(3) CPT code 87635 may not be billed for routine screening of workers' compensation claimants for the presence of the COVID-19 virus.

(4) Antibody testing is not available under the Official New York Workers' Compensation Fee Schedule.

(5) CPT code 87635 may only be billed in one instance. Repeat testing is not permitted.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires August 15, 2020.

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

Regulatory Impact Statement

1. Statutory authority: Workers' Compensation Law (WCL) § 117(1) 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 allows reimbursement for COVID-19 testing when there is a claim for workers' compensation benefits due to work-place exposure to COVID-19.

3. Needs and benefits: To provide reimbursement for COVID-19 testing when it is necessary because workers' compensation benefits are being sought due to work-place exposure to COVID-19, in order to confirm current presence of the COVID-19 virus.

4. Costs: The emergency adoption is not expected to have a significant impact on costs, as reimbursement is limited to situations where the employee has had a work-place exposure to the virus.

5. Local government mandates: The proposed amendments do not impose any program, service, duty, or responsibility upon any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: The emergency adoption requires authorized providers to use a CPT code to bill for COVID-19 testing as described above.

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

8. Alternatives: An alternative would be to not file an emergency adoption addressing the reimbursement of COVID-19 testing, but without a confirmatory test, there would be no way of showing a workers' compensation claimant is currently infected with COVID-19 when benefits are sought due to workplace exposure.

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

10. Compliance schedule: The emergency adoption takes effect immediately upon filing but simply provides guidelines for use of a CPT code that may be used in limited circumstances to confirm COVID-19 infection when workers' compensation benefits are sought due to work-place exposure to COVID-19.

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 allows authorized providers to be reimbursed for COVID-19 testing when workers' compensation benefits are sought due to work-place exposure to COVID-19.

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 allows authorized providers to be reimbursed for COVID-19 testing when workers' compensation benefits are sought due to work-place exposure to COVID-19.

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 allows authorized providers to be reimbursed for COVID-19 testing when workers' compensation benefits are sought due to work-place exposure to COVID-19.

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.
AAM-21-20-00002-P	..... 05/27/21	Milk and Milk Products	To incorporate federal requirements applicable to the processing and manufacture of milk and milk products

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
ASA-19-20-00001-P	..... 05/13/21	General service standards applicable to outpatient substance use disorder programs	To set-forth the minimum regulatory requirements for certified outpatient substance use disorder treatment programs.

CHILDREN AND FAMILY SERVICES, OFFICE OF

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.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
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.
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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
CVS-18-20-00004-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00005-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00006-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00007-P	05/06/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-18-20-00008-P	05/06/21	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-18-20-00009-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00010-P	05/06/21	Jurisdictional Classification	To delete positions from the non-competitive class
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	09/05/20	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
CJS-19-20-00010-P	05/13/21	Part 364 - Conditional release conditions.	Conform to the recent changes made by the Legislature by removing the term "gravity knife".
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	08/07/20	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-52-19-00007-ERP	12/23/20	Update Provisions Relating to Pupil Transportation	To update provisions of the Commissioner's Regulations relating to pupil transportation
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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
EDU-16-20-00002-ERP	04/22/21	Addressing the COVID-19 Crisis.	To iprovide flexibility for certain regulatory requirements in response to the COVID-19 crisis.
EDU-20-20-00008-EP	05/20/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE

ERD-19-20-00012-P	05/13/21	CO2 Allowance Auction Program	Continued administration and implementation of the CO2 allowance auctions and programs under Part 507
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ENVIRONMENTAL CONSERVATION, DEPARTMENT OF

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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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.
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.
ENV-17-20-00005-P	04/29/21	The above referenced Parts make up the Department's air pollution control permitting program.	The purpose of this rulemaking is to improve the clarity and consistency of the Department's air pollution permitting program
ENV-17-20-00006-P	04/29/21	Emission Statements	The purpose of this rule making is to require electronic submittal of annual emission statements beginning in 2022.
ENV-17-20-00007-P	04/29/21	CO2 Budget trading program	To lower the emissions cap established under Part 242.
ENV-21-20-00003-EP	05/27/21	Regulations governing the recreational harvest of bluefish	To revise regulations concerning the recreational harvest of bluefish in New York State
ENV-22-20-00003-P	06/03/21	Amendments to New York State migratory game bird hunting regulations	To bring New York State migratory game bird hunting regulations into compliance with Federal Code of Regulations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-22-20-00004-P	06/03/21	Amendments to New York State mink, muskrat, and beaver trapping season dates	To align existing mink, muskrat and beaver trapping season start dates and adjust the seasons to trapper-preferred dates
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-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
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-22-20-00008-P	06/03/21	Permit harness horses to race without qualifying in extraordinary circumstances	To enhance harness racing in New York and promote a reasonable return for government
SGC-22-20-00009-P	06/03/21	Technical changes to correct cross-references in the regulations	To correct cross-references in the regulations
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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.
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.
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HOUSING FINANCE AGENCY

*HFA-21-19-00020-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HUDSON RIVER PARK TRUST			
HPT-19-20-00011-P	05/13/21	Amendment of rules and regulations for Hudson River Park	To create a new penalty schedule for the enforcement of violations of Park rules
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
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.
LAW-18-20-00002-P	05/06/21	Designation of a Privacy Officer	Removal of a named Privacy Officer., along with their contact information
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
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.
LONG ISLAND RAILROAD COMPANY			
LIR-20-20-00005-EP	..... 05/20/21	The conduct and safety of the public in the use of terminals, stations, and trains operated by The Long Island Railroad Company	To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminals and stations
MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY			
MBA-20-20-00002-EP	..... 05/20/21	The conduct and safety of the public in the use of facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of the transit system
MENTAL HEALTH, OFFICE OF			
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.
OMH-18-20-00003-P	..... 05/06/21	Clinic Treatment Plans	To provide more flexibility in the development and execution of an individual's treatment plan
METRO-NORTH COMMUTER RAILROAD			
MCR-20-20-00004-EP	..... 05/20/21	The conduct and safety of the public in the use of terminal, stations, and trains operated by Metro-North Commuter Railroad	To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminal and stations
METROPOLITAN TRANSPORTATION AGENCY			
MTA-23-19-00006-RP	..... 09/02/20	Debarment of contractors	To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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.
NEW YORK CITY TRANSIT AUTHORITY			
NTA-20-20-00001-EP	05/20/21	The conduct and safety of the public in the use of facilities and conveyances operated by New York City Transit Authority	To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of tge transit system
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
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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 receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*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

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PUBLIC SERVICE COMMISSION			
*PSC-46-08-00008-P exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*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

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PUBLIC SERVICE COMMISSION			
*PSC-06-09-00007-P exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*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

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PUBLIC SERVICE COMMISSION			
*PSC-18-09-00013-P exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*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

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PUBLIC SERVICE COMMISSION			
*PSC-14-10-00010-P exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*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.

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*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.

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
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-34-19-00018-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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-48-19-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-19-00007-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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.
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-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
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-05-20-00006-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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-20-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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.
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.

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
PSC-16-20-00001-EP	..... exempt	Suspension of deadline in Standard Interconnection Requirements (SIR).	To prevent unnecessary cancellation of distributed generation and energy storage system projects based on the State of Emergency
PSC-16-20-00003-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund.	To determine how much of a state sales tax refund should be retained by Central Hudson.
PSC-16-20-00005-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00006-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00007-P	..... exempt	Proposed plan to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00008-P	..... exempt	Extension of the ESA between New York State Electric & Gas Corporation and Nucor Steel Auburn, Inc.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preference.
PSC-16-20-00009-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00010-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Clifton Park.
PSC-16-20-00011-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-17-20-00008-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Alpha Gas & Electric, LLC should be permitted to offer its Green Gas Program to mass market customers.
PSC-17-20-00009-P	..... exempt	Proposed filing to provide credits for AMI non-residential customer sided meters.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-17-20-00010-P	..... exempt	Tariff provisions for Non-Firm Demand Response service classes.	To consider appropriate tariff provisions for non-compliant Non-Firm Demand Response service customers.
PSC-17-20-00011-P	..... exempt	Tariff provisions for Non-Firm Demand Response service classes.	To consider appropriate tariff provisions for non-compliant Non-Firm Demand Response service customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-17-20-00012-P	..... exempt	Tariff provisions for Interruptible and Off-Peak Firm Service Gas Customers.	To consider appropriate tariff provisions for non-compliant Interruptible and Off-Peak Firm Gas Customers.
PSC-18-20-00001-EP	..... exempt	Extension of time for gas companies to complete baseline atmospheric corrosion inspections and leakage surveys.	To protect utility workers and customers from virus exposure during the COVID-19 pandemic.
PSC-18-20-00012-P	..... exempt	The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.	To revise the price to be paid by the Company under Service Classification No. 10 for qualifying purchases of unforced capacity
PSC-18-20-00013-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Village of Clyde.
PSC-18-20-00014-P	..... exempt	Tariff modifications to reduce customer costs related to relocating customer owned equipment for back-lot service relocations.	To facilitate the relocation of service lines owned by customers from the back of their lots to the front.
PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.
PSC-19-20-00003-P	..... exempt	Continued implementation of the Clean Energy Standard.	To promote and maintain renewable and zero-emission electric energy resources.
PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.
PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To provide cost recovery for new DLM programs and prevent double compensation to participating customers.
PSC-19-20-00006-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-19-20-00007-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-19-20-00008-P	..... exempt	Review of CECPN ownership transfer and related assets among CHPE, Inc., CHPE Properties, Inc., and CHPE, LLC	To consider the transfer of the CECPN and assets related to the Champlain Hudson Power Express Project.
PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity.
PSC-21-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Green Gas Products to mass market customers.
PSC-21-20-00006-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Village of Dryden.
PSC-21-20-00007-P	..... exempt	The methodology for the calculation of reactive power demand.	To revise the methodology for the calculation of reactive power demand.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-21-20-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-21-20-00009-P	..... exempt	Consideration of the NFG petition to modify Audit Implementation Plans.	To consider if modifying the Audit Implementation Plans are in the public interest.
PSC-21-20-00010-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Thompson.
PSC-21-20-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IGS Energy should be allowed to offer a Carbon-Neutral Gas Product and a Home Warranty Service Product.
PSC-22-20-00001-EP	..... exempt	Modifications to electric utility dynamic load management (DLM) demand reduction programs.	To encourage DLM participation in summer 2020 capability period despite uncertainty due to the State Disaster Emergency.
PSC-22-20-00005-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To reduce unnecessary waste and disposal of directory listings.
PSC-22-20-00006-P	..... exempt	Proposed tariff amendment regarding the billing of customers participating in the Preservation Power Program.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-22-20-00007-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.
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.
STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY			
SIR-20-20-00003-EP	..... 05/20/21	The conduct and safety of the public in the use of terminals, stations and trains operated by Staten Island Rapid Transit Auth	To safeguard the public health and safety by amending rules concerning appropriate and safe use of terminals and stations.
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-21-20-00004-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period July 1, 2020 through September 30, 2020.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-16-20-00012-P	..... 04/22/21	New York State Combined Application Project (NYSCAP)	To implement the NYSCAP, a new combined application project for recipients of Supplemental Security Income benefits, who have been designated as Live-Alone by the Social Security Administration and the State-funded SSI State Supplement Program
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-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

3638 Falling Springs, LLC
7371 Atlas Walk Way, Suite 213, Gainesville, VA 20155
State or country in which incorporated — South Carolina

AE Industrial Partners Structured Solutions I, LP
2500 N. Military Trail, Suite 470, Boca Raton, FL 33431
Partnership — AE Industrial Partners Structured Solutions I GP, LP

AG CDPQ Capital Solutions I, L.P.
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG CDPQ Capital Solutions GP, L.P.

AG CDPQ Capital Solutions II, L.P.
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG CDPQ Capital Solutions GP, L.P.

AG Commercial Real Estate Debt Opportunities Fund III, LP
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG Credo III GP LLC

AG Commercial Real Estate Debt Opportunities Holdings III, LP
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG Credo III GP LLC

AG Net Lease Realty Fund IV (Q), L.P.
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG Net Lease IV LLC

ALPS Distributors, Inc.
530 Clinton Sq., Rochester, NY 14604
State or country in which incorporated — Maryland

ALPS Distributors, Inc.
520 Madison Ave., 42nd Fl., New York, NY 10022
State or country in which incorporated — Delaware

BBR ALO Fund, LLC
140 E. 45th St., New York, NY 10017
State or country in which incorporated — Delaware

Benford Capital Partners I, L.P.
121 W. Wacker Dr., Suite 3600, Chicago, IL 60601
Partnership — Benford Capital Partners I GP, L.P.

Benford Capital Partners I-A, L.P.
121 W. Wacker Dr., Suite 3600, Chicago, IL 60601
Partnership — Benford Capital Partners I GP, L.P.

Bohr Arbitrage Crypto Fund, L.P.
c/o Conyers Trust Company (Cayman) Limited, Cricket Sq., Hutchins
Dr., PO Box 2681, George Town, Grand Cayman KY1-1111, Cayman
Islands
Partnership — KPTL Arbitrage Management, LLC

BR Sunrise Parc, DST
1345 Avenue of the Americas, 32nd Floor, New York, NY 10105
State or country in which incorporated — Delaware

CCCB Bancorp, Inc,
333 West Main St., Clarion, PA 16214
State or country in which incorporated — Pennsylvania

Celestial Therapeutics Inc.
105 Pacer, Irvine, CA 92618
State or country in which incorporated — Delaware

CINCYTECH 4 Plus Fund, LLC
2900 Reading Rd., Suite#410, Cincinnati, OH 45206
State or country in which incorporated — Ohio

CMTx Biotech, Inc.
34 Black Gum Tree Lane, Kings Park, NY 11754
State or country in which incorporated — Delaware

Emunah, LLC
12470 York St., Eastlake, CO 80614
State or country in which incorporated — Colorado

Enviroleach Technologies, Inc.
#114 - 8331, Eastlake Dr., Burnaby, BC V5A 4W2
State or country in which incorporated — Canada

Fermi Arbitrage Fund, L.P.
c/o Conyers Trust Company (Cayman) Limited, Cricket Sq., Hutchins
Dr., PO Box 2681, George Town, Grand Cayman KY1-1111, Cayman
Islands
Partnership — KPTL Arbitrage Management, LLC

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

Layer 7 TSS Holdings LLC
10 Chester Ave., 2nd Fl., White Plains, NY 10601

Livingbridge 7 LP
100 Wood St., London, United Kingdom EC2V 7AN
Partnership — Livingbridge 7 GP LLP/Livingbridge 7 GP Limited

Livingbridge Parallel LP
100 Wood St., London, United Kingdom EC2V 7AN
Partnership — Livingbridge 7 GP LLP/Livingbridge 7 GP Limited

MCR Hospitality Fund II LP
One World Trade Center, Floor 86, New York, NY 10007
Partnership — MCR Hospitality Fund II GP LLC

Mystic Holdings, Inc.
4145 Wagon Trail Ave., Las Vegas, NV 89118
State or country in which incorporated — Nevada

NextGen Growth Partners Fund II, LP
656 W. Randolph St., Suite 400, Chicago, IL 60661
Partnership — NextGen Growth Partners Fund II GP, LP

NextGen Growth Partners Fund II-A, LP
656 W. Randolph St., Suite 400, Chicago, IL 60661
Partnership — NextGen Growth Partners Fund II GP, LP

NextGen Growth Partners Fund II-B, LP
656 W. Randolph St., Suite 400, Chicago, IL 60661
Partnership — NextGen Growth Partners Fund II GP, LP

Nordic Capital X Alpha, L.P.
26 Esplanade, St. Helier, Jersey JE2 3QA
Partnership — Nordic Capital X, L.P.

Nordic Capital X Beta, L.P.
26 Esplanade, St. Helier, Jersey JE2 3QA
Partnership — Nordic Capital X, L.P.

Q2 Investment Partners Fund III, L.P.
40900 Woodward Ave., Suite #200, Bloomfield Hills, MI 48304
Partnership — Q2 Investment Partners GP, LLC

Rockbridge Portfolio Fund II L.P.
4100 Regal St., Suite G, Columbus, OH 43219
Partnership — RBC Partners III LLC

SBLP Warner Center Irvine Co-Invest, LP
900 N. Michigan Ave., Suite 1600, Chicago, IL 60611
Partnership — SBLP Manager I, LP

Thoma Bravo Credit Fund I, L.P.
150 N. Riverside Plaza, Suite 2800, Chicago, IL 60606
Partnership — Thoma Bravo Credit Partners I, L.P.

T.O. Global LLC
Five Penn Plaza, 23rd Fl., New York, NY 10005
State or country in which incorporated — New York

Triton Debt Opportunities Fund II L.P.
Charter Place, 1st Fl., 23-27 Seaton Pl., St. Helier, Jersey JE2 3QL
Partnership — Triton Debt Opportunities Fund II L.P., general partner

Twistle, Inc.
4011 Silver Ave. SE, Albuquerque, NM 87108
State or country in which incorporated — Delaware

VIP IV LP
105 Wigmore Street, London, United Kingdom W1U 1QY
Partnership — Vitruvian General Partner LLP

VIP IV Feeder LP
50 Lothian Road, Festival Square, Edinburgh, United Kingdom EH3
9WJ
Partnership — Vitruvian Scotcar General Partner LLP

VPC 410RI LLC
c/o VestaPoint Capital LLC, 941 W. Morse Blvd., Suite 130, Winter
Park, FL 32789
State or country in which incorporated — Delaware

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

Four (4) Electrical Work Contracts: 46254-E, 46255-E, 46256-E, 46257-E; Three (3) Plumbing Work Contracts: 46253-P, 46254-P, 46258-P; One (1) HVAC Work Contract: 46254-H; One (1) Roofing & Appurtenance Work Contract: 46255-T; Three (3) General Construction Work Contracts: 46253-C, 46254-C, 46256-C

Sealed bids for the above Work located in the Geographic Contract Areas described below in Table 1 and comprising separate contracts for General Construction Work, Plumbing Work, Electrical Work and Roofing & Appurtenant Work, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Contract Management, 35th Floor Corning Tower, Empire State Plaza, Albany, NY 12242, until 2:00 p.m. on the date indicated in Table 2 below, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$25,000.

This Advertisement for Bids is for multiple Job Order Contracts (hereinafter called JOC). A Job Order Contract is an indefinite quantity contract pursuant to which the Contractor will perform a series of individual repair, alteration, modernization, maintenance, rehabilitation, demolition and construction projects at different locations. Work is accomplished by means of issuance of a Job Order against a master contract. Under the JOC concept, the Contractor furnishes all management, documentation, labor, materials and equipment needed to perform the Work. The State has published Construction Task Catalogs® containing a series of work items with pre-established Unit Prices. The Contractor will bid Adjustment Factors to be applied to the pre-established Unit Prices. The price paid by the State for an individual Project will be determined by multiplying the pre-established Unit Prices by the appropriate quantities and by the appropriate Adjustment Factor(s).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Anticipated Annual Value of Work as noted in Table 2.

Table 1 - Geographic Contract Areas
Geographic Contract Area

Contract #	Area Title	Counties Served
46253-C, P	3	Albany, Columbia, Delaware, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington
46254-C, E, P, H	4	Clinton, Essex and Franklin
46255-E	5	Broome, Cayuga, Chenango, Cortland, Herkimer, Madison, Oneida, Onondaga, Oswego, Tioga and Tompkins
46256-C, E	6	Jefferson, Lewis and St. Lawrence

46257-E	7	Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne and Yates
46258-P	8	Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming

Geographic Roofing Contract Area

Contract #	Area Title	Counties Served
46255-T	5-6	Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga and Tompkin

The Completion dates for these Projects, is 365 days after the Agreement is approved by the Comptroller.

Table 2 - Contract Values and Bid Due Dates

Contract Number	Anticipated Annual Value of Work	Bid Due Date
46253-C	\$2,000,000	10 June 2020
46253-P	\$500,000	10 June 2020
46254-C	\$1,000,000	10 June 2020
46254-E, P, H	\$500,000	10 June 2020
46255-E	\$500,000	10 June 2020
46255-T	\$1,000,000	10 June 2020
46256-C	\$1,000,000	10 June 2020
46256-E	\$500,000	10 June 2020
46257-E	\$500,000	10 June 2020
46258-P	\$500,000	10 June 2020

Prospective bidders must register for a Pre-Bid Conference in order to attend. The conference will be held for the purpose of discussing the JOC concept, Contract Documents, specifics of the OGS JOC program, OGS expectations, JOC from the Contractor's perspective (including how to properly prepare a bid) and other bid considerations. The attendees representing prospective bidders at the Pre-Bid Conferences should be principals of the firm and/or the individuals who will be compiling the bid on behalf of the firm. If the bidder is a joint venture, at least one party of the joint venture must register to attend a Pre-Bid Conference.

Pre-Bid Conferences – Zoom:

Using the links below, prospective bidders will need to register for one of the dates listed below. Prospective bidders will then receive a confirmation email with a link to join on the selected date. Prospective bidders will click on one of the provided links within the confirmation email and Zoom will launch. The system will walk prospective bidders through joining the meeting by audio either via phone or on their computer.

Wednesday May 27, 2020 10:00 AM - 12:00 PM

Thursday May 28, 2020

10:00 AM - 12:00 PM

**REPLACE
AIR HANDLING UNITS
Stony Brook Region 1 Headquarters
Stony Brook, Suffolk County**

Zoom Link - May 27, 2020

<https://zoom.us/join/joinMeeting/register/tJwpcu2trTloHdTtPtFDYzDLfoMwVqleSnsL>

Zoom Link - May 28, 2020

<https://zoom.us/join/joinMeeting/register/tJckc-tqDwpHNJ4nJyNO4QPmjBvulcjK1OC>

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Hoffman, John Pupons and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award, and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <https://ogs.ny.gov/acpl>

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

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://ogs.ny.gov/design-construction/construction-contractors>

For questions about purchase of bid documents, please send an e-mail to OGS.dl.D&CPlans@ogs.ny.gov, or call (518) 474-0203.

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

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

Sealed bids for Project No. Q1782-H, comprising a contract for HVAC Work, Replace Air Handling Units, Stony Brook Region 1 Headquarters, 50 Circle Rd., State University, Stony Brook (Suffolk County) NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Environmental Conservation - Division of Operations, until 2:00 p.m. on Wednesday, June 24, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$39,000 for H).

Further, Wicks Exempt Projects require a completed form BDC 59 (Wicks Exempt List of Contractors) be filled out and submitted (included in a separate, sealed envelope) in accordance with Document 002220, Supplemental Instructions to Bidders – Wicks Exempt. Failure to submit this form correctly will result in a disqualification of the bid.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for H.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The Contractor agrees to complete the Work within the time stated in Section 011000 of the Specifications.

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises (“MBE”) participation and 10% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

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

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

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

Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for June 2020 will be conducted on June 10 and June 11 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at <https://www.cs.ny.gov/commission/>.

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. One, Albany, NY 12239 (518) 473-6598

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Section 1927 of the Social Security Act. The following changes are proposed:

Non-Institutional Services

Effective on or after July 1, 2020, to allow supplemental rebates on MCO and FFS utilization, the State will implement a single statewide formulary for opioid dependence agents and opioid antagonists, the purpose of which is to standardize preferred products across Medicaid Fee-for-Service and Managed Care. The National Medicaid Pooling Initiative (NMPI) Supplemental Drug Rebate Agreement will be used for both FFS and MCO utilization.

There is no additional estimated annual change to gross Medicaid expenditures as a result of the proposed amendment.

The public is invited to review and comment on this proposed State

Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for all services to comply with enacted statutory provisions. The following changes are proposed:

All Services

The following is a clarification to the April 1, 2020 noticed provision for the 1.875 percent uniform reduction of state Medicaid funds. With clarification, effective for dates of service on or after April 2, 2020 through March 31, 2021, and each State Fiscal Year (SFY) thereafter, all non-exempt Department of Health state funds Medicaid payments will be uniformly reduced by an additional 0.5 percent to the December 31, 2019 noticed provision for the 1.0 percent uniform reduction. Also with clarification, Medicaid payments that will be exempted from the uniform reduction will also include Health Homes serving children.

The following is a clarification to the December 31, 2019 noticed provision for the estimated annual net aggregate decrease in gross Medicaid expenditures attributable to the 1.0 uniform reduction. With clarification, the estimated annual net aggregate decrease in gross

Medicaid expenditures is (\$35,750,000) for State Fiscal Year 2019-20 and (\$143,000,000) for each State Fiscal Year thereafter. The estimated annual net aggregate decrease in gross Medicaid expenditures attributable to the additional 0.5 percent additional initiative contained in the budget for State Fiscal Year 2020-21 is (\$71,600,000) and each State Fiscal Year thereafter.

Non-Institutional Services

The following is a clarification to the April 1, 2020 noticed provision for converting the value of Upper Payment Limit (UPL) payments received by public hospitals in a city with a population over a million into Medicaid reimbursement rates. With clarification, this provision was published under Institutional Services only, but should've been published under Non-Institutional services, as well.

The following is a clarification to the April 1, 2020 noticed provision to delay the implementation date of certain permissible Consumer First Choice Options Services (CFCO) from January 1, 2020 to April 1, 2022. With clarification, this was incorrectly published under Long Term Care services. This should have been published under Non-Institutional services.

The following is a clarification to the April 1, 2020 noticed provision to reduce funding associated with nursing home capital reimbursement by 5 percent and eliminate funding associated with residual equity payments to all nursing homes. With clarification, there is an Adult Day Health Care piece to this provision, to that, this should have been published under Non-institutional services as well as Long Term Care.

Institutional Services

The following is a clarification to the April 1, 2020 noticed provision to reduce the size of the voluntary hospital Indigent Care Pool by \$75 million (State share); Eliminate the Indigent Care Pool "Transition Collar", which generates an additional \$12.5 million in State share savings; and Eliminate the Public Hospitals Indigent Care Pool, which generates \$70 million in State savings. With clarification, the provision is to reduce the size of the voluntary hospital Indigent Care Pool by \$150 million (gross); eliminate the Indigent Care Pool "Transition Collar", which generates an additional \$25 million in gross savings; and create an Enhanced Safety Net Transition Collar Pool for \$64.6 million (gross).

Long Term Care Services

The following is a clarification to the April 1, 2020 noticed provision for instituting a Home and Community Based services lookback period. With clarification, the lookback period is 30 months.

The following is a clarification to the April 1, 2020 noticed provision for modifying current eligibility criteria to receive Personal Care Services and Consumer Directed Personal Assistance as a Medicaid Benefit. With clarification, in order to be eligible to receive such services, an individual must be assessed to need assistance with more than two activities of daily living (ADLs) (ranging from limited assistance to total dependence) or, for individuals with a diagnosis of Alzheimer's or dementia, that need at least supervision with more than one ADL.

The following is a clarification to the April 1, 2020 noticed provision to reduce funding associated with nursing home capital reimbursement by 5 percent. With clarification, the proper wording is to reduce funding associated with nursing home capital reimbursement by 5 percent and eliminate funding associated with residual equity payments to all nursing homes.

The following is a clarification to the December 31, 2019 noticed provision to provide funding to support a two percent increase in annual salary and salary-related fringe benefits to direct case staff and direct support professions for all qualifying Mental Hygiene Services. With clarification, the estimated annual net aggregate increase to gross Medicaid expenditures attributable to this initiative for SFY 2019/2020 is \$21 million. The impact published December 31, 2019, erroneously included \$119 million for waived services.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY
12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of State

F-2020-0195

Date of Issuance – June 3, 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 applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0195, Diana Griffith is proposing to removal existing float piers and install a 3' x 30' aluminum ramp, 5' x 140' and 8' x 20' wood floating docks with 16 new timber piers. The project on Lloyd Harbor at 9 Oak Hill Road, Lloyd Harbor, NY 11743 in Suffolk County.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0195Griffith.pdf>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or July 3, 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: 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-2020-0215

Date of Issuance – June 3, 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-2020-0215 or the “Freshkills South Park”, the applicant New York City Department of Parks and Recreation, is proposing to construct a new park (vehicle access, vehicle parking, multi-purpose fields and pedestrian facilities) on the site of a former landfill. The authorized work is located at the intersection of Arthur Kill Road and Old Muldoon Avenue in Staten Island, Richmond County.

The applicant’s consistency certification and supporting information are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0215_Freshkill_App.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, July 3, 2020.

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

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

PUBLIC NOTICE

Department of State
F-2020-0218

Date of Issuance – May 27, 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-2020-0218, Nassau County DPW proposes to raise the top of bulkhead forming the perimeter of Silver Lake, install a tidal gate to lake outfalls and install a Culvert Flap Gate on the existing eastern culvert.

The bulkhead is proposed to be raised at a minimum elevation of 4.0 (NAVD88) and elevating the perimeter walkway of Silver Lake to an elevation of 5.0 (NAVD88), to significantly reduce the occurrence of flooding from tidal surges and rainfall events, as well as reduce the impact of future sea level rise. Approximately 12.8 cubic yards of bedding stone with geotextile fabric will be placed below the average water level in Silver Lake, west of the Parsonage Creek footbridge, in order to install a small natural boulder revetment that will hold back the additional fill necessary to elevate the perimeter walkway to elevation 5.0’ (NAVD88). The project also includes the installation of tidal gates on the Silver Lake outfalls to reduce the occurrence of flooding as a result of tidal surges. In order to maintain fish passage from the Parsonage Canal to Silver Lake, an “ecologically friendly” self-regulating tide gate (SRT) will be installed on the 6’ x 6’ concrete box culvert within Silver Lake Park.

The location for the bulkhead and the outlet tidal gates is 6’ x 6’

concrete box culvert within Silver Lake Park the culvert flap gate is proposed for the smaller culvert within the Parsonage Creek Canal.

Foxhurst Road, Silver Lake Park, the Town of Hempstead, Nassau County, Silver Lake & Parsonage Creek Canal. While the location is just outside of the NYS Coastal Boundary, the project will have an impact on Parsonage Creek within the boundary.

The applicant’s consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0217-ConsistCert.pdf>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, June 11, 2020.

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

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

PUBLIC NOTICE

Department of State
F-2020-0227

Date of Issuance – June 3, 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 applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant’s consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York. An electronic copy of the application can be downloaded at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0227-BayvilleConsistencyCertification.pdf>

In F-2020-0227, The Village of Bayville is proposing Marina improvements as follows:

- Dredging of an approximately 73,305 square feet area to -6’ MLW for up to 11,950 cubic yards of dredged material;
- Dredging of an approximately 2,450 square feet area to a depth equal to the water-most depth of the boat ramp for up to 95 cubic yards of dredged material;
- Un-confined open water disposal of approximately 12,100 cubic yards of dredged material at the Western Long Island Sound Disposal Site (WLDS). The applicant has applied to the New England District Army Corps of Engineers and the material has been found suitable for un-confined open-water disposal at WLDS;
- Installation of approximately 21 cubic yards of rip rap adjacent to the boat ramp and dock landing [58’L x 5’W x 4’H];
- Installation of a new 4’ x 110’ main float and eight (8) new 2.5’ x 20’ finger floats secured by 8 piles, located and attached to the western-most side of the existing docks.

The proposed activity is located outside of the Oyster Bay National Wildlife Refuge, however, it is located within the Mill Neck Creek Beaver Brook and Frost Creek Significant Coastal Fish and Wildlife Habitat (SCFWH). The Narrative for the SCFWH can be found at: https://www.dos.ny.gov/opd/programs/consistency/Habitats/LongIsland/Mill_Neck_Creek_Wetlands.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or by July 3, 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: 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-2020-0281

Date of Issuance – June 3, 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 applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York. An electronic copy of the application can be downloaded at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0281-CampbellConsistencyCertification.pdf>

In F-2020-0281, the applicant Douglas Campbell/Robert Campbell is proposing to dredge an area of approximately 10,081 sq. ft. to an approximate depth of -8 feet below the plane of mean low water (MLW) in Five Mile River in Norwalk, CT. An estimated volume of approximately 1,842 cu. yds. of material will be mechanically dredged and will be disposed of Central Long Island Sound Disposal Site (CLDS) or Western Long Island Sound Disposal Site (WLDS).

The New England District Army Corps of Engineers, in its June 7, 2018 suitability determination issued for NAE-2017-02847, has determined the dredged material to be unsuitable for un-confined open water disposal at either the CLDS or WLDS and has recommended alternatives available to the applicant. These include upland disposal, confined aquatic disposal, or biological testing of the materials to determine if they are suitable for unconfined open-water disposal.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or by July 3, 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: 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-2020-0282

Date of Issuance – June 3, 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 applicant has certified that the proposed activities comply with

and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York. An electronic copy of the application can be downloaded at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0282-CavanaghConsistencyCertification.pdf>

In F-2020-0282, the applicant Keith Cavanagh / Cavanagh Marina is proposing to dredge an area of approximately 15,910 sq. ft. to a depth of -6' MLW including an overredge in five Mile River, Norwalk, CT. A volume of approximately 1,674 cu. yds. would be produced. The applicant proposes to mechanically dredge this material and dispose of it at the Central Long Island Sound Disposal Site (CLDS) or the Western Long Island Sound Disposal Site (WLDS).

The New England District Army Corps of Engineers, in its August 29, 2018 suitability determination issued for NAE-1996-01090, has determined the dredged material to be unsuitable for un-confined open water disposal at either the CLDS or WLDS and has recommended alternatives available to the applicant. These include upland disposal, confined aquatic disposal, or biological testing of the materials to determine if they are suitable for unconfined open-water disposal.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or by July 3, 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: 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-2020-0283

Date of Issuance – June 3, 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 applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York. An electronic copy of the application can be downloaded at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0283-RandConsistencyCertification.pdf>

In F-2020-0283, the applicants, Suzanne and Stanley Rand III, are proposing to dredge an area of approximately 3,684 sq. ft. to an approximate depth of -8 feet below the plane of mean low water (MLW) in the Five Mile River in Norwalk, CT. An estimated volume of approximately 1,062 cu. yds. of material will be mechanically dredged and disposed of Central Long Island Sound Disposal Site (CLDS) or Western Long Island Sound Disposal Site (WLDS).

The New England District Army Corps of Engineers, in its June 7, 2018 suitability determination issued for NAE-2002-02484, has determined the dredged material to be unsuitable for un-confined open water disposal at either the CLDS or WLDS and has recommended alternatives available to the applicant. These include upland disposal, confined aquatic disposal, or biological testing of the materials to determine if they are suitable for unconfined open-water disposal.

Any interested parties and/or agencies desiring to express their

views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or by July 3, 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: 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-2020-0313

Date of Issuance – June 3, 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-2020-0313, Daniel and Joan Profetta are proposing shoreline stabilization measures at their property at 3112 Bay Front Lane in the Town of Irondequoit. Shoreline The proposed shoreline stabilization measures include the placement of 43 linear feet of steel sheet pile within 12” (waterward) of an existing deteriorated sheet pile wall including the placement of toe stone extending an additional 3’ waterward of the new wall. In addition, the placement of 27 additional linear feet of steel sheet pile wall angling landward to meet the southern property line 15 feet landward of the existing sheet pile wall.

The applicant’s consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0313ForPN.pdf>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, July 3, 2020.

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

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

PUBLIC NOTICE

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.

2020-0185 Matter of 5467 Firefly Court located at 5467 Firefly Court, Town of Clarence (County of Erie), NY, for a variance concerning Egress from basement requirements. (Board Variance).

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2020-0245 Matter of 460 Broadway located at 460 Broadway, Town of Darien Center (County of Genesee), NY, for a variance concerning Sprinklers and Mezzanine requirements. (Board Variance).

PUBLIC NOTICE

Department of State
Notice of Program Change
City of Buffalo

Local Waterfront Revitalization Program

PURSUANT to 15 CFR 923, the New York State Department of State (DOS) has submitted a program change to the federal Office of Coastal Management (OCM). The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the City of Buffalo Local Waterfront Revitalization Program (LWRP) into the State’s CMP.

A major component of the State’s CMP is the provision that local governments be allowed to prepare and amend Local Waterfront Revitalization Programs, which further detail and make geographically specific the State’s coastal policies. Each LWRP is reviewed for consistency with the State’s CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The City of Buffalo LWRP was prepared in partnership with the New York State Department of State and serves as a long-term management program for the City’s waterfront resources. The City of Buffalo LWRP expands the State Coastal boundary to more effectively plan for, manage and protect waterfront resources. The proposed Local Waterfront Revitalization Area along the City’s Lake Erie and Niagara River shoreline, will be extended further inland to incorporate the full reach of Scajaquada Creek and Hoyt Lake, the Buffalo River, Cazenovia Creek and South Park Lake; the full reach of the Great Lakes Seaway Trail as it runs through Buffalo; five waterfront parks designed by Frederick Law Olmsted, including Riverside, the southern half of Delaware Park, Front Park, Cazenovia Park and South Park (the Olmsted designed portions of the Buffalo park system are listed on the National Register of Historic Places); and, the Canalside historic redevelopment district (historically, the western terminus of the Erie Canal) and historic Cobblestone district.

The LWRP provides a detailed inventory and analysis of the City’s Local Waterfront Revitalization Area, including natural resources, historic and cultural resources, existing land and water uses, harbor management, and important economic activities, as well as issues and opportunities for future development. The State coastal policies, local sub-policies, and accompanying explanations are comprehensive and determine the appropriate balance between economic development and preservation that will permit beneficial use of, and prevent adverse effects on, the City’s waterfront resources. The LWRP also includes comprehensive text and graphics describing the proposed land uses and controls in the City of Buffalo to be accommodated in the waterfront revitalization area under the City’s Land Use Plan and Unified Development Ordinance (UDO) which combines land use, subdivision, and public realm (e.g.; streets, parks, and sidewalks) standards into a single document. The UDO is a form-based code designed to reinforce the City’s walkable, mixed-use neighborhoods, strengthen its economic centers, protect and enhance historic character, and remove barriers to creative reuse of vacant land and structures. To

implement the policies and purposes of the LWRP, the City adopted a Waterfront Consistency Review Law establishing a clear management structure to assure that local actions are reviewed for consistency with the provisions of the LWRP.

To advance the City's waterfront revitalization goals the LWRP identifies more than 20 projects to which focus on recreational, environmental, or transportation enhancements. Private initiatives and projects are also identified as integral to the long-term health of the City's waterfront revitalization area.

The draft LWRP was circulated by the New York State Department of State to potentially affected State, federal, and regional agencies during a review period from November 22, 2017 to February 20, 2018. Following this review period, the Department of State coordinated responses to comments received with the City of Buffalo and revised the draft LWRP where necessary. The City of Buffalo LWRP was adopted by resolution by the Buffalo Common Council on July 24, 2018 and approved by the New York State Secretary of State on April 5, 2019, pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

The City of Buffalo Local Waterfront Revitalization Program and this public notice are available on the NOAA Coastal Zone Management Program Change website under File Number NY-2020-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

The City of Buffalo Local Waterfront Revitalization Program and this public notice are also available on the New York State Department of State's website at:

https://docs.dos.ny.gov/opd-lwrp/LWRP/Bufalo_C/BufaloLWRP.pdf

and

<https://www.dos.ny.gov/opd/publicNotices/notices.html>

Any comments on whether or not the action constitutes a program change to the State's approved Coastal Management Program should be submitted directly to the NOAA Office of Coastal Management on NOAA's Program Change website under File Number NY-2020-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

Written hard copy comments may be submitted to: Joelle Gore, Office for Coastal Management, National Oceanic and Atmospheric Administration, 1305 East-West Highway, Silver Spring, MD 20910.

Comments will be accepted by OCM for three weeks (21 days) following the date of the publication of this notice on June 3, 2020.

Further information on this program change may be obtained from: Barbara Kendall, Office of Planning and Development, Department of State, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001, (518) 473-8928

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: April 1-30, 2020

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22 (f)(13) and 18 CFR § 806.22 (f) for the time period specified above:

Water Source Approval – Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, L.L.C.; Pad ID: Coyote Run; ABR-202004002; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

2. Chesapeake Appalachia, L.L.C.; Pad ID: Yengo; ABR-20100206.R2; Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

3. Chesapeake Appalachia, L.L.C.; Pad ID: Acla; ABR-20100324.R2; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

4. Chesapeake Appalachia, L.L.C.; Pad ID: Claude; ABR-20100319.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

5. Chesapeake Appalachia, L.L.C.; Pad ID: Sivers; ABR-20100320.R2; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

6. Chesapeake Appalachia, L.L.C.; Pad ID: Updike; ABR-20100305.R2; West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

7. Chesapeake Appalachia, L.L.C.; Pad ID: Engelke; ABR-20100323.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

8. Chesapeake Appalachia, L.L.C.; Pad ID: Masso; ABR-20100216.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 14, 2020.

9. Seneca Resources Company, LLC; Pad ID: DCNR 595 Pad E; ABR-20100307.R2; Blossburg Borough, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 14, 2020.

10. Chief Oil & Gas, LLC; Pad ID: Kupscznk Drilling Pad #1; ABR-20100224.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 14, 2020.

11. Chief Oil & Gas, LLC; Pad ID: Stone Drilling Pad #1; ABR-20100228.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 14, 2020.

12. Repsol Oil & Gas USA, LLC; Pad ID: LUTZ (01 015); ABR-20100213.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 14, 2020.

13. Repsol Oil & Gas USA, LLC; Pad ID: BARRETT (03 009); ABR-20100230.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 20, 2020.

14. Repsol Oil & Gas USA, LLC; Pad ID: HARVEST HOLDINGS (01 036); ABR-20100225.R2; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 20, 2020.

15. Chesapeake Appalachia, L.L.C.; Pad ID: Plymouth; ABR-20100341.R2; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 22, 2020.

16. Chesapeake Appalachia, L.L.C.; Pad ID: Hoffman; ABR-20100328.R2; Towanda Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 22, 2020.

17. Repsol Oil & Gas USA, LLC; Pad ID: PUTNAM (01 076) L; ABR-20100233.R2; Armenia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 22, 2020.

18. Repsol Oil & Gas USA, LLC; Pad ID: PUTNAM (01 077) L; ABR-20100212.R2; Armenia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 22, 2020.

19. Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 018); ABR-20100219.R2; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 22, 2020.

20. Chesapeake Appalachia, L.L.C.; Pad ID: Pierson 1; ABR-202004001; Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 27, 2020.

21. Chesapeake Appalachia, L.L.C.; Pad ID: LaRue 1A; ABR-202004003; Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 27, 2020.

22. Chesapeake Appalachia, L.L.C.; Pad ID: LaRue 1B; ABR-

202004004; Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 27, 2020.

23. Chesapeake Appalachia, L.L.C.; Pad ID: Hardic; ABR-202004005; Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 27, 2020.

24. Chesapeake Appalachia, L.L.C.; Pad ID: Kalinowski; ABR-20100332.R2; West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 30, 2020.

25. Chesapeake Appalachia, L.L.C.; Pad ID: Leaman; ABR-20100342.R2; West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 30, 2020.

26. Chesapeake Appalachia, L.L.C.; Pad ID: Rosalie; ABR-20100348.R2; Windham Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 30, 2020.

27. Chesapeake Appalachia, L.L.C.; Pad ID: Potter; ABR-20100401.R2; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 30, 2020.

28. Chief Oil & Gas, LLC; Pad ID: Duane Jennings Drilling Pad #1; ABR-20100334.R2; Granville Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 30, 2020.

29. Chief Oil & Gas, LLC; Pad ID: Sechrist Drilling Pad #1; ABR-20100337.R2; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 30, 2020.

30. XTO Energy Inc.; Pad ID: Dietterick; ABR-20100315.R2; Jordan Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 30, 2020.

31. Repsol Oil & Gas USA, LLC; Pad ID: MORETZ (03 036) J; ABR-20100347.R2; Wells Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 30, 2020.

32. SWN Production Company, LLC; Pad ID: NR-24 BUCKHORN-PAD; ABR-201503004.R1; Oakland Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 30, 2020.

33. Cabot Oil & Gas Corporation; Pad ID: Depaola P1; ABR-20100343.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: April 30, 2020.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated May 14, 2020.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: March 1-31, 2020

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22 (f)(13) and 18 CFR § 806.22 (f) for the time period specified above:

Water Source Approval – Issued Under 18 CFR 806.22(f):

1. Chief Oil & Gas, LLC.; Pad ID: SGL – 12 HARDY EAST UNIT PAD; ABR-202003001; Overton Township, Bradford County, Pa.;

Consumptive Use of Up to 2.5000 mgd; Approval Date: March 2, 2020.

2. Chesapeake Appalachia, L.L.C.; Pad ID: Grippo; ABR-20091212.R2; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 2, 2020.

3. Chesapeake Appalachia, L.L.C.; Pad ID: Readinger; ABR-20091210.R2; West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 2, 2020.

4. Repsol Oil & Gas USA, LLC; Pad ID: EICK (03 013) W; ABR-20091105.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 2, 2020.

5. SWN Production Company, LLC; Pad ID: HR-16 HALEY PAD; ABR-201412006.R1; Great Bend Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 2, 2020.

6. Chief Oil & Gas, LLC; Pad ID: Teel Unit Drilling Pad #3H; ABR-20091205.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 5, 2020.

7. BKV Operating, LLC; Pad ID: Procter & Gamble Mehoopany Plant 3V; ABR-20100126.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 5, 2020.

8. BKV Operating, LLC; Pad ID: Procter & Gamble Mehoopany Plant 4V; ABR-20100125.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 5, 2020.

9. BKV Operating, LLC; Pad ID: Procter & Gamble Mehoopany Plant 5V; ABR-20100127.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 5, 2020.

10. SWEPI LP; Pad ID: Thomas 503R; ABR-201408007.R1; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 10, 2020.

11. Cabot Oil & Gas Corporation; Pad ID: ReynenJ P1; ABR-201412002.R1; Harford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.2500 mgd; Approval Date: March 10, 2020.

12. SWEPI LP; Pad ID: Busia 457; ABR-20091016.R2; Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 10, 2020.

13. SWEPI LP; Pad ID: Phillips 504; ABR-20091018.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 10, 2020.

14. SWEPI LP; Pad ID: Stehmer 420; ABR-20091101.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 10, 2020.

15. SWEPI LP; Pad ID: Chapman 237; ABR-20091206.R2; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 10, 2020.

16. Chesapeake Appalachia, L.L.C.; Pad ID: Stoorza; ABR-20091208.R2; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 10, 2020.

17. Chief Oil & Gas, LLC; Pad ID: Clear Springs Dairy Drilling Pad #1; ABR-20091214.R2; Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 10, 2020.

18. Chesapeake Appalachia, L.L.C.; Pad ID: Bartz; ABR-202003002; Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 12, 2020.

19. Inflection Energy (PA), LLC; Pad ID: Hannan Well Site; ABR-201412010.R1; Hepburn Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 12, 2020.

20. Chesapeake Appalachia, L.L.C.; Pad ID: Roger; ABR-20091209.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 12, 2020.

21. SWEPI LP; Pad ID: Brown 425; ABR-20091106.R2; Delmar

Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 12, 2020.

22. SWEPI LP; Pad ID: West 299; ABR-20091111.R2; Richmond Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 12, 2020.

23. SWEPI LP; Pad ID: Pannebaker 515; ABR-20091216.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 12, 2020.

24. SWEPI LP; Pad ID: Jenkins 523; ABR-20091215.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 12, 2020.

25. Tilden Marcellus, LLC; Pad ID: Lick Run Pad; ABR-20091232.R2; Gaines Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 12, 2020.

26. Tilden Marcellus, LLC; Pad ID: Marshlands K. Thomas Unit #1; ABR-20091231.R2; Elk Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 12, 2020.

27. Tilden Marcellus, LLC; Pad ID: Button B 901 Pad; ABR-20091234.R2; West Branch Township, Potter County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 12, 2020.

28. Chief Oil & Gas, LLC; Pad ID: Teel Unit Drilling Pad #2H; ABR-20091204.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 12, 2020.

29. Rockdale Marcellus, LLC; Pad ID: Castle 113D; ABR-20100123.R2; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

30. Rockdale Marcellus, LLC; Pad ID: Miller 116D; ABR-20100124.R2; Union Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

31. Cabot Oil & Gas Corporation; Pad ID: LaRueC P2; ABR-20100138.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 15, 2020.

32. Repsol Oil & Gas USA, LLC; Pad ID: CASTLE (01 047) J; ABR-20100128.R2; Armenia Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

33. Repsol Oil & Gas USA, LLC; Pad ID: FOUST (01 003) J; ABR-20100109.R2; Granville Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 15, 2020.

34. Repsol Oil & Gas USA, LLC; Pad ID: HOOVER (01 017) G; ABR-20100108.R2; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

35. Repsol Oil & Gas USA, LLC; Pad ID: THOMAS (01 001) FT; ABR-20100112.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

36. Repsol Oil & Gas USA, LLC; Pad ID: THOMAS (01 002) FT; ABR-20100113.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

37. Repsol Oil & Gas USA, LLC; Pad ID: TWL ASSOC (01 016); ABR-20100129.R2; Armenia Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

38. Repsol Oil & Gas USA, LLC; Pad ID: VANBLARCOM (03 004) R; ABR-20100103.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

39. Repsol Oil & Gas USA, LLC; Pad ID: LUTZ (01001) T; ABR-20100110.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 15, 2020.

40. SWEPI LP; Pad ID: Butler 127; ABR-20100114.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

41. SWEPI LP; Pad ID: Hackman 143; ABR-20100118.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

42. SWEPI LP; Pad ID: Willard 419-1H; ABR-20100105.R2;

Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

43. SWEPI LP; Pad ID: Sterling 525; ABR-20100140.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

44. SWEPI LP; Pad ID: York 480-5H; ABR-20100106.R2; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 15, 2020.

45. LPR Energy, LLC; Pad ID: Ritchey Unit Drilling Pad; ABR-20091010.R2; Juniata Township, Blair County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 15, 2020.

46. LPR Energy, LLC; Pad ID: Hodge Unit Drilling Pad #1; ABR-20091201.R2; Juniata Township, Blair County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 15, 2020.

47. Chief Oil & Gas, LLC; Pad ID: Walter Unit #1H; ABR-20100135.R2; West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 16, 2020.

48. Chief Oil & Gas, LLC; Pad ID: Elliott Drilling Pad #1H; ABR-20100136.R2; Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 16, 2020.

49. Tilden Marcellus, LLC; Pad ID: Ken-Ton 902; ABR-20100102.R2; West Branch Township, Potter County, Pa.; Consumptive Use of Up to 3.9900 mgd; Approval Date: March 16, 2020.

50. SWN Production Company, LLC; Pad ID: NR-18 Oak Ridge Pad; ABR-201501002.R1; Oakland Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 16, 2020.

51. Chesapeake Appalachia, L.L.C.; Pad ID: Meas; ABR-20100134.R2; Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 16, 2020.

52. Chesapeake Appalachia, L.L.C.; Pad ID: Mowry2; ABR-20100141.R2; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 16, 2020.

53. Chesapeake Appalachia, L.L.C.; Pad ID: Storms; ABR-20100131.R2; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 16, 2020.

54. Chesapeake Appalachia, L.L.C.; Pad ID: Jads; ABR-202003003; Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 24, 2020.

55. Chesapeake Appalachia, L.L.C.; Pad ID: Harper; ABR-20100142.R2; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 24, 2020.

56. Chesapeake Appalachia, L.L.C.; Pad ID: Popivchak; ABR-20100147.R2; Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 24, 2020.

57. Chesapeake Appalachia, L.L.C.; Pad ID: Stevens; ABR-20100151.R2; Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 24, 2020.

58. Chief Oil & Gas, LLC; Pad ID: Bacon Drilling Pad #1; ABR-20100202.R2; Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 24, 2020.

59. SWEPI LP; Pad ID: Bowers 408; ABR-20090919.R2; Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 24, 2020.

60. Tilden Marcellus, LLC; Pad ID: Mitchell A 903; ABR-20100152.R2; Sest Branch Township, Potter County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 24, 2020.

61. Seneca Resources Company, LLC; Pad ID: PHC 20V; ABR-20100156.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 0.9990 mgd; Approval Date: March 24, 2020.

62. Repsol Oil & Gas USA, LLC; Pad ID: LUTZ (01 007) T; ABR-20100111.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 24, 2020.

63. SWN Production Company, LLC; Pad ID: Blye Pad Site; ABR-20100204.R2; Middletown Township, Susquehanna County, Pa.;

Consumptive Use of Up to 3.9999 mgd; Approval Date: March 24, 2020.

64. Cabot Oil & Gas Corporation; Pad ID: Baker P1; ABR-20100149.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 24, 2020.

65. Range Resources - Appalachia, LLC; Pad ID: Genter 3; ABR-20100153.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 24, 2020.

66. Range Resources - Appalachia, LLC; Pad ID: Laurel Hill 1; ABR-20100154.R1; Jackson Township, Lycoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 24, 2020.

67. SWN Production Company, LLC; Pad ID: Ferguson; ABR-20100201.R2; Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9999 mgd; Approval Date: March 24, 2020.

68. EOG Resources, Inc.; Pad ID: LEE 1H; ABR-20091122.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 1.9990 mgd; Approval Date: March 24, 2020.

69. EOG Resources, Inc.; Pad ID: LEE 3H; ABR-20091124.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 1.9990 mgd; Approval Date: March 24, 2020.

70. EOG Resources, Inc.; Pad ID: GUINAN 2H; ABR-20091117.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 1.9990 mgd; Approval Date: March 24, 2020.

71. EOG Resources, Inc.; Pad ID: HOPPAUGH 2H; ABR-20091120.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 1.9990 mgd; Approval Date: March 24, 2020.

72. EOG Resources, Inc.; Pad ID: HARKNESS 3H; ABR-20091221.R2; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 1.9990 mgd; Approval Date: March 24, 2020.

73. Cabot Oil & Gas Corporation; Pad ID: AustinE P1; ABR-202003004; Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 30, 2020.

74. Inflection Energy (PA), LLC; Pad ID: Winter Well Site; ABR-201410009.R1; Eldred Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 30, 2020.

75. SWEPI LP; Pad ID: Johnson 435; ABR-20091102.R2; Shippen Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 16, 2020.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated May 14, 2020.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Grandfathering (GF) Registration Notice

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: April 1-30, 2020.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR part 806, Subpart E:

1. Emporium Water Company – Public Water Supply System, GF Certificate No. GF-202004093, Emporium Borough and Shippen Township, Cameron County, Pa.; Salt Run; Issue Date: April 10, 2020.

2. Lonza, Inc., GF Certificate No. GF-202004094, City of Wil-

liamsport, Lycoming County, Pa.; consumptive use; Issue Date: April 28, 2020.

3. Village of Bainbridge – Public Water Supply System, GF Certificate No. GF-202004095, Town and Village of Bainbridge, Chenango County, N.Y.; Well 1; Issue Date: April 28, 2020.

4. Wyoming Valley Country Club, GF Certificate No. GF-202004096, Hanover Township, Luzerne County, Pa.; On-Site Well; Issue Date: April 28, 2020.

5. Berwick Enterprises, Inc. d.b.a. The Bridges Golf Club, GF Certificate No. GF-202004097, Berwick Township, Adams County, Pa.; Well 2; Issue Date: April 29, 2020.

6. Howard Borough – Howard Borough Water Company, GF Certificate No. GF-202004098, Howard Borough and Howard Township, Centre County, Pa.; Wells 2, 3, and 4; Issue Date: April 29, 2020.

7. New Enterprise Water Association – Public Water Supply System, GF Certificate No. GF-202004099, South Woodbury Township, Bedford County, Pa.; Clapper Well and Guyer Spring Nos. 1 and 2; Issue Date: April 29, 2020.

8. State University of New York at Binghamton – Binghamton University, GF Certificate No. GF-202004100, Town of Vestal, Broome County, N.Y.; consumptive use; Issue Date: April 29, 2020.

Dated: May 14, 2020

Jason E. Oyler,

General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Grandfathering (GF) Registration Notice

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: April 1-30, 2020.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR part 806, Subpart E:

1. Emporium Water Company – Public Water Supply System, GF Certificate No. GF-202004093, Emporium Borough and Shippen Township, Cameron County, Pa.; Salt Run; Issue Date: April 10, 2020.

2. Lonza, Inc., GF Certificate No. GF-202004094, City of Williamsport, Lycoming County, Pa.; consumptive use; Issue Date: April 28, 2020.

3. Village of Bainbridge – Public Water Supply System, GF Certificate No. GF-202004095, Town and Village of Bainbridge, Chenango County, N.Y.; Well 1; Issue Date: April 28, 2020.

4. Wyoming Valley Country Club, GF Certificate No. GF-202004096, Hanover Township, Luzerne County, Pa.; On-Site Well; Issue Date: April 28, 2020.

5. Berwick Enterprises, Inc. d.b.a. The Bridges Golf Club, GF Certificate No. GF-202004097, Berwick Township, Adams County, Pa.; Well 2; Issue Date: April 29, 2020.

6. Howard Borough – Howard Borough Water Company, GF Certificate No. GF-202004098, Howard Borough and Howard Township, Centre County, Pa.; Wells 2, 3, and 4; Issue Date: April 29, 2020.

7. New Enterprise Water Association – Public Water Supply System, GF Certificate No. GF-202004099, South Woodbury Township, Bedford County, Pa.; Clapper Well and Guyer Spring Nos. 1 and 2; Issue Date: April 29, 2020.

8. State University of New York at Binghamton – Binghamton University, GF Certificate No. GF-202004100, Town of Vestal, Broome County, N.Y.; consumptive use; Issue Date: April 29, 2020.

Dated: May 14, 2020
 Jason E. Oyler,
 General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Grandfathering (GF) Registration Notice

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: March 1-31, 2020.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR part 806, Subpart E:

1. Susquehanna Valley Country Club, GF Certificate No. GF-202003090, Monroe Township, Snyder County, Pa.; On-site Well; Issue Date: March 13, 2020.

2. BCI Municipal Authority – Public Water Supply System, GF Certificate No. GF-202003091, Gulich Township, Clearfield County, Pa.; Big Spring (Spring 1), Little Spring (Spring 2), Well 1, and Test Well 2; Issue Date: March 24, 2020.

3. Pennsylvania Fish & Boat Commission – Upper Spring Creek Hatchery, GF Certificate No. GF-202003092, Benner Township, Centre County, Pa.; Spring Creek; Issue Date: March 24, 2020.

Dated: May 14, 2020

Jason E. Oyler,
 General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Commission Meeting

SUMMARY: The Susquehanna River Basin Commission will conduct its regular business meeting on June 19, 2020, from Harrisburg, Pennsylvania. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice. Also the Commission published a document in the Federal Register on April 20, 2020, concerning its public hearing on May 14, 2020, in Harrisburg, Pennsylvania.

DATES: The meeting will be held on Friday, June 19, 2020, at 9 a.m.

ADDRESSES: The meeting will be conducted telephonically from the Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: 717-238-0423; fax: 717-238-2436.

SUPPLEMENTARY INFORMATION: The business meeting will include actions or presentations on the following items: (1) Resolution 2020-04 considering modifications to the Commission's Fiscal Year 2021 Budget; (2) discussion of the Commission's Fiscal Year 2022 Budget; (3) Resolution 2020-05 adopting the proposed water resources program for FY2019-2021; (4) ratification/approval of contracts/grants; (5) Resolution 2020-06 adopting amendments to Comprehensive Plan for the Water Resources of the Susquehanna River Basin; (6) Resolution 2020-07 providing for emergency certificate extension; (7) a report on delegated settlements; and (8) Regulatory Program projects.

This agenda is complete at the time of issuance, but other items

may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the Federal Register after the meeting. Any actions specific to projects will also be provided in writing directly to project sponsors.

Due to the COVID-19 orders, the meeting will be conducted telephonically and there will be no physical public attendance. The public is invited to attend the Commission's business meeting by telephone conference and may do so by dialing Conference Call # 1-888-387-8686, the Conference Room Code # 9179686050. Written comments pertaining to items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pennsylvania 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/business-meeting.html. Such comments are due to the Commission on or before June 17, 2020. Comments will not be accepted at the business meeting noticed herein.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: May 14, 2020

Jason E. Oyler,
 General Counsel and Secretary to the Commission

EXECUTIVE ORDERS

Executive Order No. 168.36: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that Incorporate the MTA Region in the State of New York.

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

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

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

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

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby extend the state disaster emergency declared pursuant to Executive Order No. 168 and extend all of the terms, conditions, and directives of Executive Order No. 168 and the terms, conditions, and directives for any extensions of the same for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 168 until June 3, 2020; provided that the temporary suspension of any laws, rules, regulations or guidelines pursuant to this and any future extensions of Executive Order 168 shall apply to the extent the Chairman of the MTA, or his designee, which shall only include the MTA's President or Managing Director, determines it necessary for the purposes of awarding any contracts, leases, licenses, permits or any other written agreement that may be entered into to mitigate such disaster emergency.

(L.S.)

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

BY THE GOVERNOR

/s/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 202.26: 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; and

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;

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 May 31, 2020 the following:

- Sections 103 and 104-b of the General Municipal Law, to the extent necessary to allow a board of elections to procure and provide absentee ballot applications, absentee ballots, envelopes, or any other means of transmitting an absentee ballot application or absentee ballot, including postage, to voters without the usual advertising for bids and offers and compliance with existing procurement policies and procedures;

- Sections 1804, 1906, 2002, 2022, 2601-a of the Education Law, to the extent necessary, to provide that the annual district meeting and election of every common, union free, central and central high school district and the annual meeting of every city school district in a city having a population of less than one hundred twenty-five thousand inhabitants was scheduled to be held on the third Tuesday of May, two thousand twenty is hereby adjourned and rescheduled until June 9, 2020, which shall be deemed the statewide uniform voting day;

- Sections 2003, 2004, 2022 2601-a of the Education Law, to the extent necessary to provide that trustees or boards of education of each such school district shall provide notice of such adjourned meeting to the qualified voters in the manner prescribed for notice of the annual meeting except that the number of required publications shall be two and the first publication must be no later than 28 days before the election, and such notice shall provide for an adjourned budget hearing. Such adjourned meeting shall take place remotely, and qualified voters shall vote in such adjourned election only by absentee ballot, to be provided to all qualified voters by each school district. Each district shall send out postcard notice which details the date of the election, date of budget hearing, definition of qualified voter, and an absentee ballot, The adjourned district meeting or district meeting and election shall be deemed the annual meeting or annual meeting and election of the district for all purposes;

- Sections 1608 and 1716 of the Education Law to the extent neces-

sary to allow report cards to be submitted to the State Education Department no later than 18 days prior to the date of the adjourned meeting, and the department shall make its compilation available electronically at the latest on June 2, 2020, seven days prior to the adjourned meeting date;

- Sections 2018-a and 2018-b of the Education Law are temporarily suspended and hereby modified to provide that due to the prevalence and community spread of COVID-19, that the potential for contraction of the COVID-19 virus shall be deemed temporary illness;

- Sections 2018-a and 2018-b of the Education Law are hereby modified, only for the purpose of any election held on or before June 30, 2020, to require every eligible voter be sent an absentee ballot with a postage paid return envelope;

- Sections 2018, 2032, and 2608 of the Education Law to the extent necessary to allow candidates be listed on ballots alphabetically, and that ballots for small city school districts shall be set 30 days before the election;

- Sections 2018 and 2608 of the Education Law to the extent necessary to eliminate any minimum threshold of signatures required, provided, however, an individual must meet any other requirements necessary to be placed on the ballot, including any applicable residency and age requirements;

- Section 260 of the Education Law to the extent necessary to authorize public libraries established and supported by a school district to re-notice an election noticed pursuant to this section. Such election and/or budget vote shall be conducted via absentee ballot in conjunction with the school district's rescheduled absentee ballot process or independently using the guidelines created for the school district's absentee ballot process. Such a vote may be managed by the school district or the library, at the library's request. Furthermore, the same provisions that are made for a school board trustee's petition shall apply to a library board trustee's petition;

- Section 259 (1) of the Education Law to the extent necessary to give applicable school ballot funding propositions for public or association libraries to take place on the absentee ballot used to administer the school district's budget vote;

- Sections 259 and 260 of the Education Law are hereby modified for any library election held on or before July 1, 2020, to eliminate any requirement for an application to access an absentee ballot, and each such eligible voter shall be mailed an absentee ballot with a postage paid return envelope;

- Article 6 and 15 of the Election Law in relation to conducting any village election to be held September 15, 2020 pursuant to this Executive Order, are temporarily suspended and otherwise modified as follows:

- o Any village election previously scheduled to be held in March, April, May, or June will be held on September 15, 2020.

- o For any village election scheduled to be held on September 15, 2020 as directed by this Executive Order, all party nominations shall be made by party caucus, which may be conducted remotely as set forth by the chair of such party, and which shall be held not later than August 20, 2020, and provided that a certificate of nomination from such caucus and any certificates of declination or acceptance shall be filed not later than August 22, 2020, and provided that once a certificate of declination is submitted, no substitutions shall be permitted.

- o All independent nominations for a village election previously scheduled prior to September 2020, now to be held on September 15, 2020, shall be postponed until such time as NY on Pause is suspended, subject to a process determined by a future Executive Order.

- o Any village election postponed by Executive Order originally scheduled for a date in March, April, May or June of 2020 for which the ballot was fully determined at the time of this Executive Order shall proceed with the same ballot as would have been used at such prior election, and if such ballots were already printed, such ballots may be used at the September 15, 2020 election despite containing thereon the original date of the election.

- o Any provision of the election law or village law otherwise applicable to the manner of conducting such an election in March, April, May or June, shall apply to the date of the September 15, 2020 election.

- o Village officials elected at a rescheduled election held on September 15, 2020, shall assume office as soon as the statement of canvass is filed with the village clerk pursuant to section 15-126 of the Election Law or certified by the board of election, and the term of office of such officers shall end as if they had been elected at the time of the originally scheduled election.

- o Any village election previously postponed by Executive Order for which ballot access was not completed at the time of such suspension shall be conducted solely in accordance with the ballot access provisions applicable to the September 15, 2020, election.

- Section 8-406 that is modified to the extent that any absentee ballot sent to a voter for a primary or special election to be held on June 23, 2020 shall be provided with a postage paid return envelope;

- Section 9-209 of the Election Law in relation to canvassing absentee ballots is modified to permit any absentee ballot submitted by a voter who requested such ballot for the prior date of an election canceled and then rescheduled due to the COVID-19 public health emergency, shall be cast and canvassed unless otherwise invalid, unless such voter shall appear to vote on the date of the rescheduled election or such voter requests and returns a subsequent absentee ballot;

- Section 8-410 of the Election Law in relation to marking absentee ballots is modified to the extent that for any election held before July 1, 2020, upon transmitting or mailing absentee ballots to voters, the board of elections shall provide and maintain, in its office, a voting system that is accessible for voters wishing to mark their ballot privately and independently, and provided that availability of this service shall be posted on the website of each board of elections;

- Section 16-108 of the Election Law is modified to permit any Justice of the Supreme Court appointed to hear election matters on election day may hear and determine such matters telephonically or by video conference and shall not be required to be physically at a board of elections;

- Section 8-407 of the Election Law, in relation to providing absentee ballots to voters residing in certain facilities, is modified to the extent that inspectors of the board shall not attend and/or visit facilities described in section 8-407 of the Election Law, and shall not physically deliver ballots to residents of facilities in person for primaries or elections held on or prior to July 1, 2020, and boards of elections, in the same manner as absentee ballots are delivered to other absentee voters pursuant to Title 4 of Article 8 of the Election Law, shall instead mail or deliver absentee ballots to voters residing in such facilities; and

- Section 5-204 of the Election Law in relation to local in person registration is modified to the extent that meetings for local in person registration at poll sites shall not be held in 2020.

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 May 31, 2020:

- Any district or special district, including, but not limited to fire, library, sewer, or water, that conducts an election and/or budget vote shall be rescheduled to September 15, 2020 and collection of signatures for nominating petitions is hereby suspended until further notice, subject to a process determined by a future Executive Order; provided however, a library district may conduct an election on June 9, 2020 pursuant to this Executive Order if such election is managed by a school district.

- Circulation, filing, and collection of any independent nominating petition pursuant to section 6-138 of the Election Law for any office that would otherwise be circulated or filed pursuant to the Election Law or for any special district election, as provided for in Executive Order 202.13, continue to be postponed until further notice and shall be subject to a future Executive Order.

- Any village election that was postponed in March of 2020, or scheduled to be held on June 16, 2020, or any time prior to September 15, 2020, is hereby rescheduled for September 15, 2020.

- Executive Order 202.23 is modified to clarify that any voter that

is in active and/or inactive status and is eligible to vote in a primary or special election to be held on June 23, 2020 who requests an absentee ballot via telephone for the June 23 special election or primary election, shall be sent an absentee ballot with a postage paid return envelope; provided however each voter shall not be sent more than one ballot, and shall not be required to complete an application either prior to or simultaneously to receiving the ballot. Further, the board of elections receiving the telephone request shall maintain a record of such telephone request for an absentee ballot, and may complete the absentee ballot application as such record on behalf of the voter requesting the absentee ballot, provided that no ballot shall be deemed invalid for lack of a complete absentee ballot application for any reason.

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

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

Executive Order No. 202.27: 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; 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 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 June 4, 2020:

- Any suspension or modification of any law heretofore suspended in Executive Order 202, or any amended or modified Executive Order issued thereafter, which allowed for the practice of a profession in the state of New York without a current New York State licensure, or registration, including but not limited to those individuals who are validly licensed in another state or Canada, is hereby extended for a period of thirty days to allow those professionals the ability to continue to provide services necessary for the State's COVID-19 response.

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

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

