
NEW YORK STATE **REGISTER**

INSIDE THIS ISSUE:

- Rate Rationalization—Intermediate Care Facilities for Persons With Developmental Disabilities
- Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation
- School Immunization Requirements
- Real Estate Brokers and Salespersons

Notice of Availability of State and Federal Funds

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 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or 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 for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 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 May 17, 2015
- the 45-day period expires on May 2, 2015
- the 30-day period expires on April 17, 2015

**ANDREW M. CUOMO
GOVERNOR**

**CESAR A. PERALES
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

For press and media inquiries call:
(518) 474-0050

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

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

The *New York State Register* is now available on-line at:
www.dos.ny.gov/info/register.htm



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

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

 printed on recycled paper

NEW YORK STATE REGISTER

Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) 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 must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60-day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-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 public comments are due.

The Administrative Regulations Review Commission (ARRC) is charged with the task of reviewing newly proposed regulations to examine the 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)

Rule Making Activities**Battery Park City Authority**

- 1 / Proposed Action is the Amendment of the Rules and Regulations of Battery Park City Parks (P)

Children and Family Services, Office of

- 3 / Implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) (P)

Civil Service, Department of

- 6 / Jurisdictional Classification (P)

Education Department

- 9 / Notice of expiration

Health, Department of

- 10 / Rate Rationalization—Intermediate Care Facilities for Persons With Developmental Disabilities (E)
- 12 / Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation (E)
- 15 / Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems (P)
- 18 / School Immunization Requirements (P)

Mental Health, Office of

- 20 / Medical Assistance Rates of Payment for Residential Treatment Facilities for Children and Youth (P)

Motor Vehicles, Department of

- 21 / Commercial Learner's Permits and Commercial Driver's Licenses (P)

Power Authority of the State of New York

- 22 / Rates for the Sale of Power and Energy (P)

Public Service Commission

- 22 / Approval of the Transfer of Water Supply Assets (A)
- 22 / Adoption of a Framework to Drive a Market-Based, Efficient, Clean, Reliable and Consumer-Oriented Industry (A)
- 23 / Approval of the Minor Rate Filing of Dover Plains to Increase Its Annual Revenue by \$18,356 or 17.8% (A)
- 23 / Allowing the Modifications to the Electronic Data Interchange Standards (A)
- 23 / Adoption of the Installed Reserve Margin of 17.0%, Established by the NYSRC (A)
- 23 / Approval of the Pilot Community Choice Aggregation Program (A)
- 24 / Utility Gas Energy Efficiency Programs, Targets, Budgets and Administration (P)
- 24 / Petition for Submetering of Electricity (P)
- 25 / Notice of Intent to Submeter Electricity (P)
- 25 / LED Street Lighting (P)

State, Department of

- 25 / Real Estate Brokers and Salespersons (P)

Temporary and Disability Assistance, Office of

- 27 / "Food Stamp Program" Renamed "Supplemental Nutrition Assistance Program" (SNAP); Food Assistance Program (FAP) Repealed; Certain Public Assistance Employment Program Reporting

Requirements Modified (A)

Transportation, Department of

27 / Use of Rest Areas (Section 156.3) and Safe Operation of Commercial Motor Vehicles (Section 820.14) (P)

28 / Safe Operation of Commercial Motor Vehicles by Motor Carriers and Drivers (P)

Hearings Schedule for Proposed Rule Makings / 29

Action Pending Index / 31

Securities Offerings

75 / State Notices

Notice of Availability of State and Federal Funds

77 / Homeland Security and Emergency Services, Division of

Miscellaneous Notices/Hearings

79 / Notice of Abandoned Property Received by the State Comptroller

79 / Notice of Annulment Of Dissolution of Certain Business Corporations

88 / Notice of Annulment Of Dissolution of Certain Membership Corporation(s)

88 / Notice of Erroneous Inclusion In Dissolution By Proclamation of Certain Business Corporations

89 / Notice of Erroneous Inclusion In Annulment of Authority of Certain Foreign Corporations

90 / Notice of Cancellation Of Annulment of Authority of Certain Foreign Corporations

91 / Notice of the Annulment Of The Revocation By Proclamation Of The Registration of Certain Registered Limited Liability Partnerships

92 / Notice of the Annulment of the Revocation by Proclamation of the Status of Certain Foreign Limited Liability Partnerships as New York Registered Foreign Limited Liability Partnerships

92 / Public Notice

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.

Battery Park City Authority

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Proposed Action is the Amendment of the Rules and Regulations of Battery Park City Parks

I.D. No. BPA-11-15-00018-P

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

Proposed Action: Amendment of Part 9003 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, sections 1970, 1971 and 1974-c(2)(d)

Subject: Proposed action is the amendment of the rules and regulations of Battery Park City parks.

Purpose: To remain consistent with the rules of other parks in New York City and to incorporate activities previously not addressed.

Text of proposed rule: Section 9003.7(e) is added as follows:

(e) *No person shall use a metal detector in any park except under a permit issued by ParksCorp or BPCA.*

Section 9003.11 is amended as follows:

No person, except a police officer or other peace officer, shall bring into or have in his possession in any park, any firearms, slingshots, firecrackers, missile propelling instruments, *air rifles, air pistols, paintball guns*, or explosives, including any substance, compound, or mixture having properties or such a character that alone or in combination with other substances, compounds, mixtures, propel missiles, explode or decompose to produce flames, combustion, noise or noxious or dangerous odors, *except as specifically permitted by ParksCorp or BPCA.* Nothing in this section shall be construed to prohibit the proper use of [cigarette lighters,] matches or of charcoal lighter fluid in proper containers in picnic grills where permissible pursuant to the provisions of these rules.

Section 9003.12 is amended as follows:

(a) No person shall within any park molest, chase, wound, trap, hunt, shoot, throw [missiles] *objects* at, kill, or remove [or have in his possession] any [undomesticated] animal *or have in his possession any undomesticated animal*, or any significant portion of the remains of any [undomesticated] animal, or any nest, [or the young of any undomesticated animal] or the eggs of any [undomesticated animal] *amphibian, reptile or bird*; or knowingly buy, receive, have in his possession, sell or give away any such [undomesticated] animal or egg taken from or killed within any park.

(b) *No person shall feed animals in any park except where specifically authorized by ParksCorp. ParksCorp may also designate certain areas where all feeding of animals is prohibited. It is a violation of this section to feed animals in any area where such feeding is prohibited.*

Section 9003.14 is amended as follows:

No person owning or being custodian or having control of any animal shall cause or allow such animal to be unleashed in any park, except under the express terms of a permit granted by ParksCorp. *or within designated animal run areas.* Any such animal found at large may be seized and impounded. Properly licensed dogs and cats, restrained by a leash not exceeding six feet in length may be brought into the parks, except in no event are dogs or other animals be allowed to enter any playground, park building, dog free zone or any other area where they are prohibited by ParksCorp. Nothing in this section shall be construed to prohibit [seeing eye or hearing ear dogs in these areas] *persons with disabilities from bringing into such areas service animals, including guide dogs, signal dogs, or other animals individually trained to do work or perform acts for the benefit of an individual with a disability, including but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.* Nothing herein shall limit the rights of persons with disabilities under City, State, and Federal law.

Section 9003.17 is amended as follows:

It is prohibited for any person to engage in disorderly behavior in any park. Any person in any park, including any park street, shall be guilty of disorderly behavior who:

Sections (a) through (j) of Section 9003.17 remain unchanged.

Section 9003.18 is amended as follows:

It is prohibited for any person to engage in loitering for illegal purposes in any park. Any person in any park, including any park street, shall be guilty of loitering who:

(a) loiters or remains in a park for the purpose of engaging, or soliciting another person to engage in sexual activity; or

(b) loiters or remains in any park with one or more persons for the purpose of unlawfully using, possessing, distributing, selling or soliciting *marijuana or a controlled substance*, as defined in section 220.00 of the New York State Penal Law.

Section 9003.23(a) is amended as follows:

(a) No person shall engage in any commercial activity or commercial speech in any park, including any park street, except pursuant to a permit issued under section 9003.[25]31 and/or section 9003.[26]32 of this Part.

New Sections 9003.25, 9003.26, 9003.27, 9003.28, 9003.29 and 9003.30 are added as follows and Sections 9003.25, et seq. of 21 NYCRR are renumbered as Sections 9003.31, et seq.

Section 9003.25. *Urination and Defecation in Parks.*

No person shall urinate or defecate in any park, or in or upon any park building, monument or structure, except in a facility which is specifically designed for such purpose.

Section 9003.26. *Unlawful Exposure.*

It shall be a violation of these rules to appear in public on property under the jurisdiction of ParksCorp in such a manner that one's genitalia are unclothed or exposed.

Section 9003.27. *Smoking.*

Smoking is prohibited in all public areas within any park, except as may be designated by ParksCorp or BPCA.

Section 9003.28. *Marijuana; controlled substances.*

No person shall bring, possess, distribute, sell, solicit or consume marijuana or any controlled substance, as defined in § 220.00 of the New York State Penal Law, in any park or other park property or facility.

Section 9003.29. Unlawful Distribution of Products and Materials.

No person shall engage in the non-commercial distribution of products and/or material (other than printed or similarly expressive material) without a permit issued by ParksCorp or BPCA. A permit shall be issued only upon ParksCorp's or BPCA's determination that said distribution will be conducted in a manner consistent with the public's use and enjoyment of the park or park facility in question. In making this determination, ParksCorp or BPCA will consider the nature of the product or material; whether the product or material is compatible with customary park uses; whether the product or material is intended to be used in the park or park facility; the age of the targeted audience for the product or material; and whether the area in the park or park facility where the distribution will take place is appropriate for such distribution, considering, e.g., its proximity to areas designed for children, quiet zones or other areas designed for activities not compatible with such distribution. In connection with the foregoing, ParksCorp may consult with parental or other groups that are involved with the park or park facility where a permit for distribution is requested. ParksCorp or BPCA may also impose conditions upon the distribution of products and materials consistent with the concerns reflected by the factors listed above. Products and/or materials may be distributed only upon an indication of interest by the recipient, and only from a fixed location specified in the permit.

Section 9003.30. Geocaching; Treasure Hunting Games.

Geocaching or other treasure hunting games, activities, devices, logbooks, trinkets, or other materials, are not allowed within any park except as may be expressly permitted by ParksCorp.

Former Section 9003.30, which has been renumbered as Section 9003.36 pursuant to these amendments, is amended as follows:

Alcoholic beverages[; controlled substances]

(a) No person shall bring, possess, distribute, sell, solicit or consume alcoholic beverages [or unlawfully bring, possess, distribute, sell, solicit or consume any controlled substance, as defined in section 220.00 of the New York State Penal Law], in any park, including any park street, playground, or other park property or facility, except [in the case of alcoholic beverages,] where specifically permitted by the ParksCorp or BPCA and applicable law.

Former Section 9003.33, which has been renumbered as Section 9003.39 pursuant to these amendments, is amended as follows:

(a) Any person bringing a bicycle, scooter, skateboard, roller skates or roller blades into any park shall obey all park signs pertaining to the use of such bicycles, scooters, roller skates, skateboard or roller blades. No bicycle, scooter, roller skates, skateboard or roller blades shall be ridden, skated, operated or otherwise used on the grass, or on the upper level of the esplanade, or between the rail and the immediately adjacent benches of the esplanade, or in any sitting or play area, or playground. Bicycles, scooters, roller skates, skateboards and roller blades may be ridden, skated, operated and used in the parks, but only at the times, and in the areas, specifically designated by ParksCorp. No person shall ride, skate, operate or use a bicycle, scooter, roller skates, skateboard or roller blades in a reckless manner. Skateboards or scooters shall not be skated or operated or used on park property, fixtures or equipment in a manner likely to cause damage or injury to persons or property.

(b) Persons operating or using bicycles, scooters, skateboards, roller skates or roller blades shall yield to pedestrians in any part of the parks.

(c) *It is prohibited for any person to ride or operate a bicycle to carry more persons at one time than the number for which it is designed and equipped, except that children may be carried in seats securely attached to a bicycle. It is prohibited for any person riding a bicycle to attach himself or his bicycle to the outside of any motor vehicle being operated in any park.*

Former Section 9003.41, which has been renumbered as Section 9003.47 pursuant to these amendments, is amended as follows:

No person shall store or leave personal belongings unattended within or adjacent to any park. *Personal property left unattended within any park in violation of this section is subject to removal by ParksCorp. ParksCorp will give notice to the owner of the property prior to such removal if the identity of and an address for such person are reasonably ascertainable. The cost of the removal and storage of such property will be charged to the owner and must be paid prior to release of the property. Any personal property that is unclaimed after 30 days will be deemed to be abandoned and will be turned over to the police property clerk for disposal pursuant to law.*

Section 9003.47, which has been renumbered as Section 9003.53 pursuant to these amendments, is amended as follows:

Any violation of these rules, [but only to the extent that these rules are consistent with] *provided such violation would also violate any of the provisions of the Administrative Code of the City of New York or the rules and*

regulations in effect for [all] the parks of the City of New York, shall be a misdemeanor triable in a court with competent jurisdiction and punishable by not more than 90 days imprisonment or by a fine of not more than \$1,000, or by both in accordance with section 533(a)(9) of chapter 21 of the New York City Charter, and the violator of these rules shall also be subject to criminal prosecution and civil penalties as permitted by law and the penalties imposed pursuant to section 202(d) and (e) of the New York Not-for-Profit Corporation Law.

Text of proposed rule and any required statements and analyses may be obtained from: Susie Kim, Battery Park City Authority, 200 Liberty Street, 24th Floor, New York, New York 10281, (212) 417-4144, email: Susie.Kim@bpca.ny.gov

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

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

Regulatory Impact Statement

Regulatory Impact Statement

STATUTORY AUTHORITY:

Battery Park City Authority ("BPCA") was created as a public benefit corporation pursuant to New York Public Authorities Law § 1973. BPCA is authorized to adopt, amend or rescind rules and regulations appropriate to carry out its corporate purposes pursuant to New York Public Authorities Law § 1974-c (2)(d). BPCA's corporate purposes are set forth in New York Public Authorities Law § 1971.

LEGISLATIVE OBJECTIVES:

BPCA was created in 1968 as a public benefit corporation with the purpose of creating a mixed commercial and residential community in Battery Park City with adequate utilities systems and civic and public facilities such as schools, open public spaces, recreational and cultural facilities. Rules and Regulations for parks in Battery Park City ("BPC Parks") were adopted in 1992. Since that time, activities within BPC Parks have changed. Further, the New York City Department of Parks and Recreation has updated some of their rules and regulations. In an effort to remain consistent with other parks in New York City and to address activities previously not addressed, BPCA seeks at this time to amend and update BPC Parks Rules and Regulations to (1) adopt a smoking ban, (2) further regulate the conduct of the public, (3) enhance and provide for the safety, well-being and enjoyment of each individual who may use BPC Parks, and (4) assure equality of opportunity in the use and enjoyment of BPC Parks.

NEEDS AND BENEFITS:

The proposed action is the amendment of Rules and Regulations for BPC Parks. The most significant change proposed is the prohibition on smoking in BPC Parks, consistent with the smoking ban approved by the New York City Council and Mayor Michael Bloomberg that went into effect in May 2011. The City thoroughly researched the issue and learned that problems associated with smoking outdoors have been studied and documented through measuring outdoor tobacco smoke, the effects of exposure to second-hand smoke, and the amount of litter such behavior generates. On December 31, 2014, a New York appeals court upheld the New York State Office of Parks, Recreation and Historic Preservation's ban on smoking in New York State parks, finding that such office had the statutory authority to ban smoking, thus allowing all patrons to enjoy the fresh air and natural beauty of its outdoor facilities.

At this time, BPC Parks are almost alone in New York City in failing to prohibit smoking. As such, there may be an incentive for smokers to come to BPC Parks to smoke and, in the process, increase litter and the health risks to other park patrons, thereby diminishing the enjoyment of others in the BPC Parks. In order to be consistent with the other parks in New York City and many other parks across the United States, and to protect both public health and the enjoyment offered by BPC Parks, BPCA seeks to amend its regulations to prohibit smoking in BPC Parks.

COSTS:

No additional costs are anticipated in connection with the adoption of the proposed rules and regulations.

LOCAL GOVERNMENT MANDATES:

Not applicable.

PAPERWORK:

Because BPC Parks are presently operational, no new forms or paperwork will be required in connection with these rules and regulations. The type of paperwork presently utilized consists primarily of permit/special event applications.

DUPLICATION:

The proposed rules and regulations will not overlap with other state requirements. The proposed rules and regulations do not conflict with any applicable federal standards.

ALTERNATIVES:

There were no significant alternatives to the proposed rules and regulations.

FEDERAL STANDARDS:

The proposed rules and regulations do not conflict with any applicable federal standards.

COMPLIANCE SCHEDULE:

Immediate.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not submitted with this proposed regulation because, as is evident from the nature of the proposed amendments, they will have no adverse economic impact or reporting, record-keeping or other compliance requirements on small businesses or local governments. The amendments, which are modeled after existing rules for parks in New York City, outline permitted and prohibited uses and activities within parks in Battery Park City.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not submitted with this proposed regulation because, as is evident from the nature of the proposed amendments, and the fact that the area is located in an urban setting, i.e., the parks located in the approximately 92 acres of land located on the west side of lower Manhattan, they will have no adverse economic impact on rural areas or reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas. The amendments, which are modeled after existing rules for parks in New York City, outline permitted and prohibited uses and activities within parks in Battery Park City.

Job Impact Statement

A Job Impact Statement is not submitted with this proposed regulation because, as is evident from the nature of the proposed amendments, they will have no adverse impact on job opportunities or job development. The amendments, which are modeled after existing rules for parks in New York City, outline permitted and prohibited uses and activities within parks in Battery Park City.

Office of Children and Family Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183)

I.D. No. CFS-11-15-00011-P

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

Proposed Action: Amendment of sections 428.3, 428.5, 428.6, 428.9, 430.11, 430.12, 431.8, 441.25, 443.2 and 443.3 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20 and 34

Subject: Implementation of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).

Purpose: Implementation of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).

Substance of proposed rule (Full text is posted at the following State website: <http://www.ocfs.ny.gov>): The proposed addition of 18 NYCRR 428.3(i) and amendment to 18 NYCRR 430.12(c)(2)(i)(a) would require that the Family Assessment and Service Plan be developed in consultation with a child in foster care who is 14 years of age or older, and at the option of the child, with up to two members of the "case planning team" who are chosen by the child and who are neither the child's foster parent(s), case manager, case planner nor caseworker. The agency with case management responsibility would have the ability to reject an individual selected by the child to be on the case planning team if there is good cause to believe that the individual would not act in the child's best interests. One individual selected by the child could be designated as the child's advisor and could advocate with respect to the application of reasonable and prudent parenting.

The proposed amendments to 18 NYCRR 428.5(c) and 428.9(c) would address the P.L. 113-183 requirements to what the agency must document for submission at each permanency hearing where APPLA is the requested permanency planning goal. This includes a demonstration of intensive, ongoing and unsuccessful efforts to secure an alternative permanency plan to APPLA.

The proposed amendment to 18 NYCRR 428.6(c) would require that a case plan for a child in foster care who is 14 years or older include a document that describes the rights of the child concerning such matters as education, documents and the "right to stay safe and avoid exploitation". In addition, the case plan must contain an acknowledgment executed by the child that the child was provided with a copy of the rights and that the rights were explained to the child. Also for a child in foster care who has attained 14 years of age, the case plan must include a written description of the programs and services which will help the child prepare for the transition from foster care to successful adulthood.

The proposed amendment to 18 NYCRR 428.9(b)(1) would require that each child in foster care 14 years of age or older be a participant in their case consultation, as well as the two members of the case planning team that were chosen by the child, if applicable.

The proposed amendment to 18 NYCRR 430.11(c)(4) would expand the relative identification and notification requirements involving a child removed from home to include all parents of a sibling of the child where such parent has legal custody of such sibling.

The proposed amendments to 18 NYCRR 430.12(c)(2)(i)(d) would address the requirement that the child's service plan address the steps taken by the authorized agency to see that the child's foster parents or child care facility are following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities, including consulting with the child.

The proposed amendment to 18 NYCRR 430.12(f)(1)(i) would raise the age for establishing the permanency goal of another planned living arrangement (APPLA) from 14 to 16 years of age.

The proposed amendment to 18 NYCRR 430.12(k) would change the age at which the child receives a copy of any consumer report on them from ages 16 and over to ages 14 and over. The child must continue to receive these reports until the child is discharged from foster care.

The proposed amendment to 18 NYCRR 430.12(1) would add additional documents to the medical and educational records that children in foster care are required to receive when they are discharged from foster care. The regulation would apply to children who have been in foster care for six or more months and who are leaving foster care by reason of attaining the age of 18 years or older. Agencies would be required to provide each youth exiting foster care at age 18 or older with an official or certified copy of their United States birth certificate, social security card, medical records, health insurance information and state issued ID card (or driver's license), if eligible to receive such documentation.

The proposed amendments to 18 NYCRR 431.8(b)(3) and 431.8(h) would address protocols for locating and responding to children who run away from foster care; including determining and documenting in the child's case record the primary reasons that contributed to the child running away or otherwise being absent without consent, and responding to those factors in the child's current and subsequent foster care placements. Upon return to care, the child would also have to be screened for sex trafficking as defined in Federal law. In addition, the proposed regulations would implement the requirement that agencies report the absence immediately, and in no case later than 24 hours after receiving information on missing or abducted children or youth, to the law enforcement authorities for entry in to the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, and to the National Center for Missing and Exploited Children (NMEC). This standard would apply to all children in foster care and to children for whom the social services district has an open services case or supervisory responsibility, which includes children who have not been removed from their home.

The proposed amendment to 18 NYCRR 431.8(3)(iii) would implement the requirement that an agency who receives information that a child in foster care or whom the social services district has an open services case or supervisory responsibility of, has been identified as a sex trafficking victim, as defined by applicable federal law, must immediately and in no case later than 24 hours after receiving the information report the child to law enforcement.

The proposed addition of 18 NYCRR 441.25 would address the new reasonable and prudent parent standard requirements that must be applied by foster parents and child care facility staff. They include the knowledge and skills relating to the reasonable and prudent parent standard for the participation of the foster child in age or developmentally appropriate activities. The proposed regulation would require that each child care facility have on-site presence of at least one person who is designated to be the caregiver authorized to apply the reasonable and prudent standard to decisions involving the foster child's participation in these activities.

The proposed amendment to 18 NYCRR 443.2(e)(1) reflects the training requirement of the reasonable and prudent parent standard for foster parents. The training must include knowledge and skills relating to the child's developmental stages of cognitive, emotional, physical and behavioral capabilities and the skills relating to decision making.

The proposed amendment to 18 NYCRR 443.3(b)(1) would add to the agreement a foster parent must execute to include the foster parent will apply the reasonable and prudent parent standard referenced in the new 18 NYCRR 441.25.

Text of proposed rule and any required statements and analyses may be obtained from: Public Information Officer, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 473-7793

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

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

Regulatory Impact Statement

1. Statutory authority:

Section 20(3)(d) of the Social Services Law (SSL) authorizes the Office of Children and Family Services (OCFS) to establish rules and regulations to carry out its powers and duties pursuant to the provisions of the SSL.

Section 34(3)(f) of the SSL requires the Commissioner of OCFS to establish regulations for the administration of public assistance and care within the State.

2. Legislative objectives:

The proposed regulations would implement Federal statutory changes to Title IV-E of the Social Security Act (SSA) due to the enactment of the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) on September 29, 2014. The Act's intent is to prevent child sex trafficking and to improve the lives of youth in foster care. In addition to adding requirements regarding the identification, documentation, and response to child sex trafficking victims, or those at risk of becoming victims, within the child welfare system, this law affects many different areas of child welfare; including empowering children age 14 and older in the development of their own case plan and transition plan for a successful adulthood, encouraging the placement of children in foster care with siblings, improving another planned permanent living arrangement as a permanency option locating and responding to children who run away from foster care, and supporting normalcy for children in foster care and congregate care.

OCFS is the single state agency responsible for the administration of the Title IV-E foster care, adoption assistance and kinship guardianship assistance programs in New York, along with local departments of social services. The Act's amendments to Title IV-E of the SSA require amendments to New York's Title IV-E State Plan. OCFS is responsible for the preparation and submission of Title IV-E State Plan amendments.

3. Needs and benefits:

The proposed regulations would implement P.L. 113-183 by making conforming changes to New York State regulations. The amendments are necessary for New York to continue to have a compliant Title IV-E State Plan which is a condition for New York to receive federal funding for foster care, adoption assistance and the administration of those programs. New York State through an amendment to its Title IV-E State Plan will have to demonstrate to the federal Department of Health and Human Services that it has implemented the various provisions of the Act by the effective date of the individual provisions. The provisions addressed by the proposed regulations must be in effect by September 29, 2015 in order for New York to continue to have a compliant Title IV-E State Plan.

The proposed regulations will enhance permanency of children in foster care by expanding the involvement of the children in permanency planning and in the preparation for final discharge.

4. Costs:

Approximately \$571 million of Title IV-E funding is at risk if New York State fails to comply with the new requirements of the federal Preventing Sex Trafficking and Strengthening Families Act.

An estimated State operation cost of approximately \$1.6 million in personal and non-personal services is anticipated for the implementation of the proposed regulations to comply with the federal Act. This estimate covers the cost of:

- Modifications to CONNECTIONS, Data Warehouse Database, and the Juvenile Justice Information System (JJIS).
- Additional personnel for the Bureau of Research, and Bureau of Policy Analysis needed to implement the necessary changes including mandated federal reporting requirements.
- Modifying existing training materials and the creation of new training tools and modules.

An estimated \$5.6 million in statewide expenditures could be realized by the local departments of social services to implement the requirements of the Preventing Sex Trafficking and Strengthening Families Act. This includes, but is not limited to:

- Additional data entry needs due to federally mandated reporting requirements.
- Providing consumer reports to youth in foster care, age 14 and 15, and resolving any inaccuracies in the reports.

- Providing youth age 18 years and older, who are being discharged to their own care and who have been in foster care for at least six months, with either a driver's license or non-driver's identification card; and

- The cost associated with the implementation of reasonable and prudent parent standard due to the increase in activity participation by children and youth in foster care.

The costs identified for local departments of social services would be supported out of the Foster Care Block Grant.

5. Local government mandates:

As mandated by federal law, the proposed regulations would impose additional mandates on social services districts. The proposed regulations would expand the content of the training of certified and approved foster parents on how to apply the reasonable and prudent parent standard to decisions involving the child's participation in age or developmentally appropriate activities. The proposed regulation would expand current standards relating to children in foster care who are absent from their placement without permission. The social services district or voluntary authorized agency would be required to complete a screening of the child upon return to determine if the child is a possible sex trafficking victim. In addition, social services districts or voluntary authorized agencies would be required to notify law enforcement authorities immediately, and in no case later than 24 hours of receiving information that a child in the placement, care or supervision of the social services district is missing, and/or identified as being a sex trafficking victim, as defined by applicable federal law. Children who are missing must be entered by law enforcement into the National Crime Information Center database of the Federal Bureau of Investigation and the social services district or voluntary authorized agency must make a report to the National Center for Missing and Exploited Children.

Within 30 days of the removal of a child from his or her home, the social services district would be expressly required to notify all parents of a sibling of the child where such parent has legal custody of such sibling. When a child, 16 or older, has a permanency goal of APPLA the agency with case planning responsibility would be required to demonstrate the intensive, ongoing and unsuccessful efforts to secure an alternative permanency plan. The child's permanency plan would have to address the steps taken by the agency to see that the child's foster parents or child care facility are following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities. In addition, the agency would be required to provide to any child in foster care who is 14 years of age or older a document that describes the rights of the child concerning such matters as education, documents and the "right to stay safe and avoid exploitation", and document receipt of such list in the child's case record. Also, for a child in foster care who has attained 14 years of age, the case plan must include a written description of the programs and services which will help the child prepare for the transition from foster care to successful adulthood. Social services districts would be required to provide all children in foster care upon attaining the age of 14 with a copy of any consumer reports on them and continue to provide them until the child is discharged from foster care. When a youth who has been in foster care for six or more months and exits foster care because of attaining age 18 or older, the agency would be required to provide the youth with an official or certified copy of their United State birth certificate, social security card, Medical records, health insurance information and state issued ID card (or driver's license), if the child is eligible to receive such documents.

6. Paperwork:

The requirements imposed by the proposed regulations will be recorded in CONNECTIONS.

7. Duplication:

The proposed regulations do not duplicate other state or federal requirements.

8. Alternatives:

No alternative approaches to implementing the changes to regulation were considered. These amendments are proposed to implement the Federal law P.L. 113-183.

9. Federal standards:

The proposed regulations comply with applicable federal standards. Implementation is required for New York to maintain compliance with federal Title IV-E standards. Failure to do so would jeopardize continued receipt of federal funding for foster care, adoption assistance and kinship guardianship assistance.

10. Compliance schedule:

Compliance with the proposed regulations would begin immediately upon final adoption.

Regulatory Flexibility Analysis

1. Effect on Small Businesses and Local Governments:

These proposed regulations will have an impact upon social service districts and authorized voluntary agencies. In New York State there are approximately 58 social service districts and 83 voluntary authorized agencies.

2. Compliance Requirements:

The proposed regulations would implement Federal statutory changes due to the enactment of the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) on September 29, 2014. The Act added a number of Title IV-E State Plan requirements that must be implemented in a timely for New York to maintain a compliant Title IV-E State Plan which is a condition for New York to receive federal funds for foster care and adoption assistance. The Act's intent is to prevent child sex trafficking and to improve the lives of youth in foster care. In addition to adding requirements regarding the identification, documentation, and response to child sex trafficking victims, or those at risk of becoming victims, within the child welfare system, this law affects many different areas of child welfare; including empowering children age 14 and older in the development of their own case plan and transition plan for a successful adulthood, further encouraging the placement of children in foster care with siblings, improving another planned permanent living arrangement as a permanency option, locating and responding to children who run away from foster care, and supporting normalcy for children in foster care and congregate care.

The proposed amendments to 18 NYCRR 428.3(i) and 430.12(c)(2)(i)(a) would require that the Family Assessment and Service Plan be developed in consultation with a child in foster care who is 14 years of age or older, and at the option of the child, with up to two members of the "case planning team" who are chosen by the child and who are neither the child's foster parent(s), case manager, case planner nor caseworker. The agency with case management responsibility would have the ability to reject an individual selected by the child to be on the case planning team if there is good cause to believe that the individual would not act in the child's best interests. One individual selected by the child could be designated as the child's advisor and could advocate with respect to the application of reasonable and prudent parenting. In addition, 18 NYCRR 428.9(b)(1) would be amended to address participation by each child in foster care 14 years of age or older in their case consultation, as well as the two members of the case planning team that were chosen by the child, if applicable.

The proposed amendment to 18 NYCRR 428.6(c) would implement the requirement that a case plan for a child in foster care who is 14 years or older include a document that describes the rights of the child concerning such matters as education, documents and the "right to stay safe and avoid exploitation". In addition, the case plan would have to contain an acknowledgment executed by the child that the child was provided with a copy of the rights and that the rights were explained to the child. Also for a child in foster care who has attained 14 years of age, the case plan must include a written description of the programs and services which will help the child prepare for the transition from foster care to successful adulthood.

The proposed amendments to 18 NYCRR 430.11(c)(4) would expressly expand the relative identification and notification requirements involving a child removed from home to include all parents of a sibling of the child where such parent has legal custody of such sibling.

P.L. 113-183 amended section 475(C)(i) of the Social Security Act to eliminate another planned living arrangement (APPLA) for youth in foster care under the age of 16. The proposed amendment to 18 NYCRR 430.12(f)(1)(i) would raise the age for the permanency planning goal of APPLA from 14 to 16. In addition, the proposed amendments to 18 NYCRR 428.5(c) and 428.9(c) would address P.L. 113-183 requirements to what the agency must document for submission at each permanency hearing where APPLA is the requested permanency plan. This would include a demonstration of intensive, ongoing and unsuccessful efforts to secure an alternative permanency plan to APPLA. Also, the proposed addition of 18 NYCRR 430.12 (c)(2)(i)(d) would address the requirement that the child's service plan address the steps taken by the authorized agency to see that the child's foster parents or child care facility are following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities, including consulting with the child.

P.L. 113-183 requires that each child upon attaining the age 14 receive a copy of any consumer reports on the child and continue to receive them until they are discharged from foster care. The proposed amendment to 18 NYCRR 430.12(k) would change the age at which the child receives these report from ages 16 and over to ages 14 and over.

The proposed amendment to 18 NYCRR 430.12(1) would add additional documents to those that children in foster care are required to receive when they leave foster care. The proposed regulation would apply to children who have been in foster care for six or more months and who are leaving foster care by reason of attaining 18 years of age or older. Agencies would be required to provide such foster youth with an official or certified copy of their United States birth certificate, social security card, medical records, health insurance information and state issued ID card (or driver's license).

The proposed amendments to 18 NYCRR 431.8(b)(3) and 431.8(h) would address the requirement that states develop protocols for locating and responding to children who run away from foster care; including determining and documenting in the child's case record the primary reasons that contributed to the child running away or otherwise being absent without consent, and responding to those factors in the child's current and subsequent foster care placements. Upon return to care, the child would be screened for sex trafficking as defined in Federal law. In addition, agencies would be required to notify law enforcement authorities immediately, and in no case later than 24 hours of receiving information that a child in the placement, care or supervision of the local district is missing or abducted, and/or identified as being a sex trafficking victim, as defined by applicable federal law. Children who are missing or abducted must be entered by law enforcement in to the National Crime Information Center database of the Federal Bureau of Investigation and the agency must make a report to the National Center for Missing and Exploited Children.

The proposed amendment to 18 NYCRR 441.25 would address the new reasonable and prudent parenting standard requirements. P.L. 113-183 requires that foster parents and child care facility staff apply the prudent and reasonable parent standard for children in care. The requirements would include knowledge and skills relating to the child's developmental stages of cognitive, emotional, physical and behavioral capabilities and the skills relating to decision making. The proposed regulation requires that each child care facility must have on-site presence of at least one person who is designated to be the caregiver authorized to apply the reasonable and prudent standard to decisions involving the child's participation in these activities.

The proposed amendment to 18 NYCRR 443.2(e)(1) addresses the training requirements for each certified and approved foster parent in the prudent and reasonable parent standard.

The proposed amendment to 18 NYCRR 443.3(b)(1) would add to the agreement a foster parent must execute to include the foster parent will apply the reasonable and prudent parent standard as referenced in the proposed 18 NYCRR 441.25.

3. Professional Services:

These proposed regulations do not create the need for additional professional services.

4. Compliance Costs:

Approximately \$571 million of Title IV-E funding is at risk if New York State fails to comply with the new requirements of the federal Preventing Sex Trafficking and Strengthening Families Act.

An estimated \$5.6 million in statewide expenditures could be realized by the local departments of social services for requirements of the Preventing Sex Trafficking and Strengthening Families Act. This includes, but is not limited to:

- Additional data entry needs due to federally mandated reporting requirements.
- Providing consumer reports to youth in foster care, age 14 and 15, and resolving any inaccuracies in the reports.
- Providing youth age 18 years and older, who are being discharged to their own care and who have been in foster care for at least six months, with either a driver's license or non-driver's identification card; and
- The cost associated with the implementation of reasonable and prudent parent standard due to the increase in activity participation by children and youth in foster care.

The costs identified for local departments of social services would be supported out of the Foster Care Block Grant.

5. Economic and Technological Feasibility:

These proposed regulations would not have an adverse economic impact on social service districts, and would not require the hiring of additional staff. However, modifications to technology would be required as a result of the changes, which would be supported in the CONNECTIONS system.

6. Minimizing Adverse Impact:

It is not anticipated that the proposed regulations will result in an adverse impact on local government agencies or small businesses.

7. Small Business and Local Government Participation:

The proposed regulations regulation imposed on New York by federal law. The Office of Children and Family Services (OCFS) proposes to discuss the federal law and its implications at the January, 2015 Winter Meeting of the New York Public Welfare Association. In addition, OCFS will address any comments or feedback from small businesses and/or local governments during the public comment period.

8. For Rules That Either Establish or Modify a Violation or Penalties:

These proposed regulations do not establish or modify a violation or penalty.

Rural Area Flexibility Analysis

1. Types and estimated number of rural areas:

The proposed regulations will affect the 44 social services districts and approximately 35 voluntary authorized agencies that are in rural areas.

2. Reporting, recordkeeping and other compliance requirements:

The proposed regulations would implement Federal statutory changes due to the enactment of the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) and would change existing reporting and recordkeeping requirements.

The proposed amendment to 18 NYCRR 428.6(c) would implement the requirement that a case plan for a child in foster care who is 14 years or older include a document that describes the rights of the child concerning such matters as education, documents and the "right to stay safe and avoid exploitation". In addition, the case plan must contain an acknowledgment executed by the child that the child was provided with a copy of the rights and that the rights were explained to the child. Also for a child in foster care who has attained 14 years of age, the case plan must include a written description of the programs and services which will help the child prepare for the transition from foster care to successful adulthood.

The proposed amendment to 18 NYCRR 430.11(c)(4) would expand the relative identification and notification requirements involving a child removed from home to include all parents of a sibling of the child where such parent has legal custody of such sibling.

P.L. 113-183 amended section 475(C)(i) of the Social Security Act, to eliminate another planned living arrangement (APPLA) for youth in foster care under the age of 16. The proposed amendment to 18 NYCRR 430.12(f)(1)(i) would raise the age for APPLA from 14 to 16. In addition, the proposed amendments to 18 NYCRR 428.5(c) and 428.9(c) would address the P.L. 113-183 requirements to what the agency must document for submission at each permanency hearing where APPLA is the requested permanency planning goal. This includes a demonstration of intensive, ongoing and unsuccessful efforts to secure an alternative permanency plan to APPLA. Also, the addition of 18 NYCRR 430.12(c)(2)(i)(d) would address the requirement that the child's service plan address the steps taken by the authorized agency that the child's foster parents or child care facility are following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities, including consulting with the child.

P.L. 113-183 also requires that each child upon attaining the age 14 receive a copy of any consumer reports on the child and continue to receive them until they are discharged from foster care. The proposed amendment to 18 NYCRR 430.12k) would change the age at which the child receives these report from ages 16 and over to ages 14 and over.

The proposed amendment to 18 NYCRR 430.12(1) would add additional documents that children in foster care are required to receive when they leave foster care. The proposed regulation would apply to children who have been in foster care for six or more months and who are leaving foster care by reason of attaining 18 years of age or older. Agencies would be required to provide such youth with an official or certified copy of their United States birth certificate, social security card, medical records, health insurance information and state issued ID card (or driver's license), if eligible to receive such documentation.

The proposed amendments to 18 NYCRR 431.8(b)(3) and 431.8(h) would address the requirement that states develop protocols for locating and responding to children who run away from foster care; including determining and documenting in the child's case record the primary reasons that contributed to the child running away or otherwise being absent without consent, and responding to those factors in the child's current and subsequent foster care placements. Upon return to care, the child also must be screened for sex trafficking as defined in Federal law. In addition, agencies would be required to notify law enforcement authorities immediately, and in no case later than 24 hours of receiving information that a child in the placement, care or supervision of the local district is missing or abducted, and/or identified as being a sex trafficking victim, as defined by applicable federal law. Children who are missing or abducted must be entered by law enforcement in to the National Crime Information Center database of the Federal Bureau of Investigation and the agency must make a report to the National Center for Missing and Exploited Children.

3. Costs:

Approximately \$571 million of Title IV-E funding is at risk if New York State fails to comply with the new requirements of the federal Preventing Sex Trafficking and Strengthening Families Act.

An estimated State operation cost of approximately \$1.6 million in personal and non-personal services are anticipated for the implementation of the proposed regulations to comply with the federal Act. This estimate covers the cost of:

- Modifications to CONNECTIONS, Data Warehouse Database, and the Juvenile Justice Information System (JJIS).
- Additional personnel for the OCFS Bureau of Research, and Bureau of Policy Analysis needed to implement the necessary changes, including mandated federal reporting requirements.
- Modifying existing training materials and the creation of new training tools and modules.

An estimated \$5.6 million in statewide expenditures could be realized

by the local departments of social services for requirements of the Preventing Sex Trafficking and Strengthening Families Act. This includes, but is not limited to:

- Additional data entry needs due to federally mandated reporting requirements.
- Providing consumer reports to youth in foster care, age 14 and 15, and resolving any inaccuracies in the reports.
- Providing youth age 18 years and older, who are being discharged to their own care and who have been in foster care for at least six months, with either a driver's license or non-driver's identification card; and
- The cost associated with the implementation of reasonable and prudent parent standard due to the increase in activity participation by children and youth in foster care.

The costs identified for local departments of social services would be supported out of the Foster Care Block Grant.

4. Minimizing adverse impact:

It is not anticipated that the proposed regulations will result in an adverse impact on social service districts or small businesses that are in rural areas.

5. Rural area participation:

The proposed regulations reflect standards imposed on New York by federal law, P.L. 113-183. The Office of Children and Family Services (OCFS) proposes to discuss the federal law and its implications at the January, 2015 Winter Meeting of the New York Public Welfare Association. In addition, OCFS will address any comments or feedback from small businesses and/or local governments during the public comment period.

Job Impact Statement

The proposed amendments to regulation will not have a negative impact on jobs or employment opportunities in either public or private child welfare agencies. A full job impact statement has not been prepared for the proposed regulations as it is assumed that the proposed regulations will not result in the loss of any jobs.

Department of Civil Service

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00002-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Corrections and Community Supervision, by increasing the number of positions of Deputy Counsel from 2 to 3.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

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

previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00003-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of General Services," by adding thereto the position of Director Internal Audit.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00004-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of Information Technology Services," by adding thereto the position of Agency Emergency Management Coordinator (ITS) (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00005-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "State Board of Elections," by increasing the number of positions of Investigative Auditor from 10 to 14.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously

printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00006-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To delete positions from and classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Law, by decreasing the number of positions of Confidential File Clerk from 4 to 3 and Confidential Stenographer from 11 to 3 and by increasing the number of positions of Investigator from 168 to 176.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00007-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Labor under the subheading "State Insurance Fund," by deleting therefrom the position of Affirmative Action Administrator 3 (1) and by adding thereto the position of Affirmative Action Administrator 4 (1).

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00008-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office of Mental Health," by increasing the number of positions of Mental Health Program Manager 1 from 5 to 6.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00009-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Justice Center for the Protection of People with Special Needs," by decreasing the number of positions of Internal Investigator 1 (OPWDD) from 19 to 18 and by increasing the number of positions of Internal Investigator 2 (Justice Center) from 46 to 60 and Supervising Investigator (Justice Center) from 11 to 16.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-11-15-00010-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene, by deleting therefrom the positions of Assistant Commissioner (Various Specialties) (9), Associate Commissioner (Various Specialties) (2), Dietetic Intern, Psychiatrist (Research) 2 and Youth Program Supervisor; in the Department of Mental Hygiene, by deleting therefrom the subheading "Institutions," and the positions of Assistant Music Supervisor, Dental Technician, Deputy Director of Developmental

Disabilities Research Institute (1), Director of each hospital, school or institute, Institution Retail Store Clerk (Part time), Mental Hygiene Halfway House Aide 1, Mental Hygiene Halfway House Aide 2, Mental Hygiene Special Adolescent Treatment Assistant (15), Pathologist (Research) 2 (1), Printer, Psychiatrist (Research) 1, Psychiatrist (Research) 2, Psychiatrist (Research) 3 and Senior Electronics Laboratory Engineer (1) Rockland State Hospital, (1) New York Psychiatric Institute; in the Department of Mental Hygiene under the subheading "Office of Alcoholism and Substance Abuse Services," by deleting therefrom the positions of Chief of Substance Abuse Program Planning (1), Deputy Director for Substance Abuse Contract Management (1), Medical Director, Alcoholism Treatment Center, Senior Substance Abuse Aide and Substance Abuse Aide; in the Department of Mental Hygiene under the subheading "Office of Mental Health," by deleting therefrom the positions of Director, Bureau of Inspection and Certification (1) and Director for Quality Assurance (Medical); in the Department of Mental Hygiene under the subheading "Office for People with Developmental Disabilities," by deleting therefrom the positions of Director of Affirmative Action Programs 5 (1), Director, Consent Decree Office (1) and Laboratory Equipment Designer (1) (Until first vacated after January 13, 1987); in the Department of Mental Hygiene, by deleting therefrom the subheading "New York State Developmental Disabilities Planning Council," and the positions of Developmental Disabilities Program Planner 2 (3) and Supervising Developmental Disabilities Program Planner (1); in the Department of Mental Hygiene under the subheading "Office of Mental Health," by adding thereto the positions of Director of each hospital, school or institute, Institution Retail Store Clerk (Part-time), Mental Hygiene Halfway House Aide 1, Mental Hygiene Halfway House Aide 2, Mental Hygiene Special Adolescent Treatment Assistant (1), Pathologist 2 (Research) (1), Printer, Psychiatrist 1 (Research), Psychiatrist 2 (Research) and Psychiatrist 3 (Research); and, in the Department of Mental Hygiene under the subheading "Office for People with Developmental Disabilities," by adding thereto the positions of Dental Technician, Deputy Director Developmental Disabilities Research Institute (1), Developmental Disabilities Program Planner 2 (3), Director of each hospital, school or institute, Institution Retail Store Clerk (Part-time), Supervising Developmental Disabilities Program Planner (1) and Youth Program Supervisor.

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

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

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Education Department

NOTICE OF EXPIRATION

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

Hearings on Charges of Tenured School Employees

I.D. No.	Proposed	Expiration Date
EDU-08-14-00020-P	February 26, 2014	February 26, 2015

Department of Health

EMERGENCY RULE MAKING

Rate Rationalization—Intermediate Care Facilities for Persons With Developmental Disabilities

I.D. No. HLT-28-14-00015-E

Filing No. 145

Filing Date: 2015-02-27

Effective Date: 2015-02-27

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

Action taken: Amendment of Subpart 86-11 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 201

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

Specific reasons underlying the finding of necessity: The emergency adoption of these amendments is necessary to protect the health, safety, and welfare of individuals receiving services in the OPWDD system.

The amendments are necessary to properly implement a new rate methodology for Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD).

On July 1, 2014, OPWDD and the Department of Health (DOH) implemented a new reimbursement methodology for ICFs/DD, which complements existing OPWDD requirements concerning this program, to satisfy commitments included in OPWDD's transformation agreement with the federal Centers for Medicare and Medicaid Services (CMS).

After July 1, CMS informed OPWDD and DOH that CMS would require changes in reimbursement for capital assets used in ICFs/DD. These changes are that capital costs for day habilitation property acquisitions must be depreciated over 25 years and that providers must submit information for each capital asset that is verified by an independent auditor and identifies the differences, by asset, between the amounts reported on the cost report and amounts that were approved by OPWDD. The emergency/proposed regulations are in response to these CMS requirements. The amendments change the depreciation period and reporting for capital costs.

In addition, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs. This change to the methodology will increase rates for all providers of the eligible services.

The Department was not able to use the regular rulemaking process established by the State Administrative Procedure Act because there was not sufficient time to develop and promulgate regulations within the necessary timeframes. The State Administrative Procedure Act (SAPA) sets forth timeframes for the promulgation of regulations (including mandatory public comment period) and prohibits the adoption of rules containing substantive changes in the terms of proposed regulations. SAPA requires additional rulemaking activities to make substantive changes through the regular rulemaking process which delays the effective date. The only way to adopt the substantive amendments necessary to implement the rate-setting methodology in accordance with CMS mandates and State law is through the emergency rulemaking process.

If the Department did not promulgate these regulations on an emergency basis, the Department would fail to meet its commitment to CMS and would risk loss of the substantial federal funding that is contingent upon this commitment. The loss of this federal funding could jeopardize the health, safety, and welfare of individuals receiving services in the OPWDD system, as without it, individuals would be at risk of receiving services that are inadequate or insufficient in meeting their needs.

Subject: Rate Rationalization—Intermediate Care Facilities for Persons with Developmental Disabilities.

Purpose: To amend the new rate methodology effective July 1, 2014.

Substance of emergency rule: These emergency/proposed regulations

amend the newly-adopted 10 NYCRR subpart 86-11 concerning the rate methodology for Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD). The amendments contain the methodology as described in the regulations adopted July 1, 2014 with changes required by the federal Centers for Medicare and Medicaid Services (CMS) subsequent to the adoption of those regulations. The amendments change reimbursement for capital assets used in ICFs/DD. The changes are:

1) The "capital component" sections were revised to require that capital costs must be depreciated over 25 years. The amendments require ICF/DD providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule.

2) The "capital component" section was revised to eliminate capital threshold schedules.

3) The amendments change the methodology to include funding for a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2014 for eligible programs.

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. HLT-28-14-00015-P, Issue of July 16, 2014. The emergency rule will expire April 27, 2015.

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

Regulatory Impact Statement

Statutory Authority:

Social Services Law (SSL) section 363-a and Public Health Law (PHL) section 201(1)(v) provide that the Department is the single state agency responsible for supervising the administration of the State's medical assistance ("Medicaid") program and for adopting such regulations, not inconsistent with law, as may be necessary to implement the State's Medicaid program. In addition, Part I of chapter 60 of the laws of 2014, which is part of the 2014-15 enacted budget, requires the Department to provide funding beginning January 1, 2015 to support a 2% increase in annual salary and salary-related fringe benefits for direct care staff, and also to provide funding beginning April 1, 2015 to support a 2% increase in annual salary and salary-related fringe benefits for direct care and clinical staff.

Legislative Objective:

These emergency/proposed amendments further the legislative objectives embodied in sections 363-a of the Social Services Law and section 201(1)(v) of the Public Health Law in Part I of chapter 60 of the laws of 2014. The emergency/proposed regulations amend the newly adopted methodology for reimbursement of Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD).

Needs and Benefits:

On July 1, 2014, OPWDD and the Department of Health (DOH) implemented a new reimbursement methodology for ICFs/DD to satisfy commitments included in OPWDD's transformation agreement with the federal Centers for Medicare and Medicaid Services (CMS).

After July 1, CMS informed OPWDD and DOH that CMS would require changes in reimbursement for ICF/DD capital assets. These changes are that capital costs for property acquisitions must be depreciated over 25 years; that the provider must submit a schedule that identifies the differences, by capital asset, between the amounts reported on the cost report and the amounts that were prior approved by OPWDD; and that an independent auditor apply procedures to verify the accuracy and completeness of the schedule. The amendments are in response to these CMS requirements.

These changes will bring the methodology into compliance with current CMS policies regarding depreciation of capital assets and provide information on capital costs required by CMS.

In addition, in recognition of the key role that direct support staff play in delivering services to persons with disabilities in New York State, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015, and an additional 2% increase on April 1, 2015 for direct support staff, as well as a 2% increase for clinical staff beginning on April 1, 2015. OPWDD and DOH are revising the methodologies for affected residential and day habilitation programs to include funding to support these increases.

Costs:

Costs to the Agency and to the State and its local governments:

The amendments require OPWDD or DOH to give each provider a schedule identifying (for each capital asset for which OPWDD approved

the costs prior to July 1, 2014) total actual costs, reimbursable costs, total financing cost, allowable depreciation and interest for the remaining useful life, and allowable reimbursement for each year of the remaining useful life.

The new methodology and these accompanying amendments do not apply to the state as a provider of services.

There will be no savings or costs to local governments as a result of these regulations because pursuant to Social Services Law sections 365 and 368-a, either local governments incur no costs for these services or the State reimburses local governments for their share of the cost of Medicaid funded programs and services. In addition, even if the amendments lead to an increase in Medicaid expenditures in a particular county, these amendments will not have any fiscal impact on local governments, as the contribution of local governments to Medicaid has been capped. Chapter 58 of the Laws of 2005 places a cap on the local share of Medicaid costs and local governments are already paying for Medicaid at the capped level.

Costs to private regulated parties:

The emergency/proposed regulations will change the new reimbursement methodology for ICFs/DD. Application of the changes in the methodology may result in lower capital cost reimbursement per year, but full approved capital costs will be reimbursed over the 25 year depreciation period. In addition, providers will incur costs preparing capital assets schedules and having independent auditors apply procedures to verify the accuracy and completeness of the capital assets schedules.

Local Government Mandates:

There are no new requirements imposed by the rule on any county, city, town, village, school, fire or other special district.

Paperwork:

The amendments increase paperwork to be completed by providers. The amendments require providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition for the 2% compensation increase, each provider will have to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Duplication:

The emergency/proposed regulations do not duplicate any existing State or federal requirements that are applicable to services for persons with developmental disabilities.

Alternatives:

Since certain of the methodology changes in these amendments are required by CMS and others are mandated by State law, OPWDD and DOH did not consider any alternatives, because any alternatives would not be in compliance with recently articulated CMS policy and requirements.

Federal Standards:

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

Compliance Schedule:

DOH is adopting the amendments on an emergency basis effective January 1, 2015. DOH expects to finalize the amendments as soon as possible within the timeframes established by the State Administrative Procedure Act.

Regulatory Flexibility Analysis

Effect of Rule:

OPWDD and DOH have determined, through a review of the certified cost reports, that most services delivered in Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD) are provided by agencies that employ more than 100 people overall. However, some smaller agencies that employ fewer than 100 employees overall would be classified as small businesses. Currently, there are 108 ICF/DD providers. OPWDD and DOH are unable to estimate the portion of these providers that may be considered to be small businesses.

The proposed regulations amend the rate-setting methodology that was adopted in July 2014 in conformance with changes mandated by CMS after July 1, 2014.

After July 1, 2014, CMS informed OPWDD and DOH that it would require changes in reimbursement for ICF/DD capital assets. These changes are that capital costs for property acquisitions must be depreciated over 25 years; that the provider must submit a schedule that identifies the differences, by capital asset, between the amounts reported on the cost report and the amounts that were prior approved by OPWDD; and that an independent auditor apply procedures to verify the accuracy and completeness of the schedule. The amendments change the depreciation period and reporting requirements for capital costs. Application of the changes in the methodology for capital costs may result in lower reimbursement per year, but full approved capital costs will be reimbursed over the 25 year depreciation period.

In addition, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs. This change to the methodology will increase rates for all providers of the eligible services.

Compliance Requirements:

The amendments require ICF/DD providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Professional Services:

Additional professional services will be required as a result of these regulations. The amendments require independent auditors to apply procedures to verify the accuracy and completeness of the capital assets schedule. However, the regulations will not add to the professional service needs of local governments.

Compliance Costs:

The amendments require ICF/DD providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Economic and Technological Feasibility:

The amendments do not impose on regulated parties the use of any new technological processes.

Minimizing Adverse Impact:

Since the methodology changes in these amendments are required by CMS, OPWDD and DOH did not consider any alternatives, because any alternatives would not be in compliance with recently articulated CMS policy and requirements.

The potential loss of federal funds that could result from non-compliance would have had far more serious consequences to providers than the minor decrease in annual reimbursement for capital costs that may result from this change.

For the 2% compensation increase, there is no adverse economic impact on providers. Each provider will need to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees. However, the attestation is required by the enacted budget and is needed to ensure that the compensation increases are used for their intended purpose.

Small Business and Local Government Participation:

OPWDD and DOH met with representatives of providers to discuss this change in methodology at a meeting held on October 6, 2014, and met with them to discuss the 2% compensation increase on December 15. The New York State Association of Community and Residential Agencies (NYSACRA), which represent some providers that have fewer than 100 employees, were included in these meetings.

Rural Area Flexibility Analysis

Effect on Rural Areas:

Description of the types and estimation of the number of rural areas in which the rule will apply: OPWDD services are provided in every county in New York State. 43 counties have a population of less than 200,000: Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Ontario, Orleans, Oswego, Otsego, Putnam, Rensselaer, St. Lawrence, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Wyoming and Yates. Additionally, 10 counties with certain townships have a population density of 150 persons or less per square mile: Albany, Broome, Dutchess, Erie, Monroe, Niagara, Oneida, Onondaga, Orange and Saratoga.

The proposed regulations amend the rate-setting methodology that was adopted in July 2014 in conformance with changes mandated by CMS after July 1, 2014.

After July 1, 2014, CMS informed OPWDD and DOH that CMS would require changes in reimbursement ICF/DD capital assets. These changes are that capital costs for property acquisitions must be depreciated over 25 years; that the provider must submit a schedule that identifies the differences, by capital asset, between the amounts reported on the cost report and the amounts that were approved by OPWDD; and that an independent

auditor apply procedures to verify the accuracy and completeness of the schedule. The amendments change the depreciation period and reporting for capital costs. Application of the changes in the methodology may result in lower reimbursement per year, but full approved capital costs will be reimbursed over the 25 year depreciation period.

In addition, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs. This change to the methodology will increase rates for all providers of the eligible services.

Reporting, Recordkeeping and Other Compliance Requirements and Professional Services:

There will be additional reporting, recordkeeping, and professional services imposed by these amendments. The amendments require ICF/DD providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

The amendments will have no effect on local governments.

No additional professional services will be required as a result of these regulations and the regulations will not add to the professional service needs of local governments.

Costs:

The amendments require ICF/DD providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Minimizing Adverse Impact:

Since the methodology change in this amendment is required by CMS, OPWDD and DOH did not consider any alternatives, because any alternatives would not be in compliance with recently articulated CMS policy and requirements.

The potential loss of federal funds that could result from non-compliance would have had far more serious consequences to providers than the minor decrease in annual reimbursement that results for capital costs that result from these changes.

For the 2% compensation increase, there is no adverse economic impact on providers. Each provider will need to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees. However, the attestation is required by the enacted budget and is needed to ensure that the compensation increases are used for their intended purpose.

The Department has also reviewed and considered the approaches for minimizing adverse economic impact as suggested in section 202-b(1) of the State Administrative Procedure Act. The Department determined that the revision to reimbursement proposed in this amendment is the most optimal approach to instituting the necessary change in rate methodology while minimizing any adverse impact on providers.

Rural Area Participation:

Participation of public and private interests in rural areas: OPWDD and DOH met with representatives of providers to discuss the capital changes in new methodology October 6, 2014, and met with them to discuss the 2% compensation increase on December 15, 2014. The New York State Association of Community and Residential Agencies (NYSACRA), which represents some providers in rural areas, were included in these meetings.

Job Impact Statement

A Job Impact Statement is not being submitted for this emergency/proposed rulemaking because this rulemaking will not have a substantial adverse impact on jobs or employment opportunities.

The emergency/proposed regulations amend the rate-setting methodology that was adopted in July 2014 in conformance with changes mandated by CMS after July 1, 2014. In addition, the proposed regulations change the methodologies for rates and fees for the affected programs to provide funding to support a January 1, 2015 2% salary increase and an April 1, 2015 2% increase for direct support staff, as well as an April 1, 2015 2% increase for clinical staff for the affected residential and day programs, to include funding to support these increases.

All providers will experience an increase in funding as a result of the 2% compensation increase in these amendments. Application of the

changes in the methodology may result in lower capital cost reimbursement per year, but full approved capital costs will be reimbursed over the 25 year depreciation period. The impact of additional recordkeeping associated with verification of those capital costs will be negligible.

The amendments are therefore expected to have no significant adverse impact on jobs and employment opportunities with providers.

Assessment of Public Comment

The agency received no public comment since publication of the last assessment of public comment.

EMERGENCY RULE MAKING

Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation

I.D. No. HLT-28-14-00016-E

Filing No. 144

Filing Date: 2015-02-27

Effective Date: 2015-02-27

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

Action taken: Amendment of Subpart 86-10 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 201

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

Specific reasons underlying the finding of necessity: The emergency adoption of these amendments is necessary to protect the health, safety, and welfare of individuals receiving services in the OPWDD system.

The amendments are necessary to properly implement the rate methodology for residential habilitation provided in Individualized Residential Alternatives (IRAs) and Community Residences (CRs) and day habilitation services.

On July 1, 2014, OPWDD and the Department of Health (DOH) implemented a new reimbursement methodology for residential habilitation in IRAs/CRs and day habilitation, which complements existing OPWDD requirements concerning these programs, to satisfy commitments included in OPWDD's transformation agreement with the federal Centers for Medicare and Medicaid Services (CMS).

After July 1, CMS informed OPWDD and DOH that the State could not use SSI benefits in excess of the room and board costs to offset the Medicaid rate for residential habilitation, and that CMS would require changes in reimbursement for capital assets used in day habilitation programs. These changes are that capital costs for day habilitation property acquisitions must be depreciated over 25 years and that providers must submit information for each capital asset that is verified by an independent auditor and identifies the differences, by asset, between the amounts reported on the cost report and amounts that were approved by OPWDD.

The emergency/proposed regulations are in response to these CMS requirements. The regulations contain the methodology as described in the regulations adopted effective July 1, with changes to the SSI offset, day habilitation depreciation period and reporting for day habilitation capital costs, and with additional changes to the budget neutrality factor necessitated by the change in the SSI offset. The amendments also contain provisions to reimburse IRA and CR providers for July 1 through November 1, 2014 for the difference between the November 1 rate and the July 1 rate, if the November 1 rate is higher.

In addition, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs. This change to the methodology will increase rates for all providers of the eligible services.

The Department was not able to use the regular rulemaking process established by the State Administrative Procedure Act because there was not sufficient time to develop and promulgate regulations within the necessary timeframes. The State Administrative Procedure Act (SAPA) sets forth timeframes for the promulgation of regulations (including mandatory public comment period) and prohibits the adoption of rules containing substantive changes in the terms of proposed regulations. SAPA requires additional rulemaking activities to make substantive changes through the regular rulemaking process which delays the effective date. The only way to adopt the substantive amendments necessary to implement the rate-setting methodology in accordance with CMS mandates and State law is through the emergency rulemaking process.

If the Department did not promulgate these regulations on an emer-

agency basis, the Department would fail to meet its commitment to CMS and would risk loss of the substantial federal funding that is contingent upon this commitment. The loss of this federal funding could jeopardize the health, safety, and welfare of individuals receiving services in the OPWDD system, as without it, individuals would be at risk of receiving services that are inadequate or insufficient in meeting their needs.

Subject: Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation.

Purpose: To amend the new rate methodology effective July 1, 2014.

Substance of emergency rule: The emergency/proposed regulations amend the newly-adopted 10 NYCRR Subpart 86-10, concerning the rate methodology for Residential Habilitation delivered in IRAs and Community Residences and Day Habilitation. The amendments contain the methodology as described in the regulations adopted July 1, 2014 with changes required by the federal Centers for Medicare and Medicaid Services (CMS) subsequent to the adoption of those regulations. The amendments change the SSI offset with additional changes to the budget neutrality factor necessitated by the change in the SSI offset. The changes are:

1) A definition was added for "state supplement." The definition state supplement is the amount paid to a provider to cover room and board costs in excess of SSI/SNAP payments.

2) The "budget neutrality" formula was changed for Supervised and Supportive Individualized Residential Alternatives (IRAs) and Community Residences (CRs). The method for calculating the budget neutrality factor for the "state supplement" was adjusted.

3) The "capital component" sections were revised to eliminate capital threshold schedules and require that capital costs must be depreciated over 25 years. The amendments require day habilitation providers to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule.

4) The amendments also contain provisions to reimburse IRA and CR providers for July 1 through November 1, 2014 for the difference between the November 1, 2014 rate and the July 1, 2014 rate, if the November 1 rate is higher.

5) The amendments change the methodology to include funding for a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs.

6) Several non-substantive technical corrections were added to correct reference errors and grammatical errors.

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. HLT-28-14-00016-P, Issue of July 16, 2014. The emergency rule will expire April 27, 2015.

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

Regulatory Impact Statement

Statutory Authority:

Social Services Law (SSL) section 363-a and Public Health Law (PHL) section 201(1)(v) provide that the Department is the single state agency responsible for supervising the administration of the State's medical assistance ("Medicaid") program and for adopting such regulations, not inconsistent with law, as may be necessary to implement the State's Medicaid program. In addition, Part I of chapter 60 of the laws of 2014, which is part of the 2014-15 enacted budget, requires the Department to provide funding beginning January 1, 2015 to support a 2% increase in annual salary and salary-related fringe benefits for direct care staff, and also to provide funding beginning April 1, 2015 to support a 2% increase in annual salary and salary-related fringe benefits for direct care and clinical staff.

Legislative Objective:

These emergency/proposed regulations further the legislative objectives embodied in section 363-a of the Social Services Law and section 201(1)(v) of the Public Health Law and in Part I of chapter 60 of the laws of 2014. The emergency/proposed regulations amend the newly adopted methodology for reimbursement of residential habilitation delivered in Individualized Residential Alternatives (IRAs) and Community Residences (CRs) and day habilitation services.

Needs and Benefits:

On July 1, 2014, OPWDD and the Department of Health (DOH) implemented a new reimbursement methodology for residential habilitation in IRAs/CRs and day habilitation, which complements existing OPWDD requirements concerning these programs, to satisfy commit-

ments included in OPWDD's transformation agreement with the federal Centers for Medicare and Medicaid Services (CMS).

After July 1, CMS informed OPWDD and DOH that the State could not use SSI benefits in excess of the room and board costs to offset the Medicaid rate for residential habilitation, and that CMS would require changes in reimbursement for capital assets used in day habilitation programs. These changes are that capital costs for day habilitation property acquisitions must be depreciated over 25 years and that providers must submit information for each capital asset that is verified by an independent auditor and identifies the differences, by asset, between the amounts reported on the cost report and the amounts that were prior approved by OPWDD. The emergency/proposed amendments are in response to these CMS requirements. The amendments contain the methodology as described in the regulations adopted effective July 1, with changes to the SSI offset, day habilitation depreciation period and reporting for day habilitation capital costs, and with additional changes to the budget neutrality factor necessitated by the change in the SSI offset. In addition, the amendments contain provisions to reimburse IRA and CR providers for July 1 through November 1, 2014 for the difference between the November 1 rate and the July 1 rate, if the November 1 rate is higher. These amendments also make technical and clarifying changes to the regulations effective July 1, 2014.

These changes will increase reimbursement to providers, bring the methodology into compliance with current CMS policies regarding depreciation of capital assets and the treatment of individual benefits in HCBS waiver programs and provide information on capital costs required by CMS.

In addition, in recognition of the key role that direct support staff play in delivering services to persons with disabilities in New York State, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015, and an additional 2% increase on April 1, 2015 for direct support staff, as well as a 2% increase for clinical staff beginning on April 1, 2015. OPWDD and the Department of Health (DOH) are revising the methodologies for affected residential and day habilitation programs to include funding to support these increases.

Costs:

Costs to the agency and to the State and its local governments:

The emergency/proposed regulations will result in additional State share Medicaid costs of approximately \$34 million per year. The regulations also require OPWDD or DOH to give each provider a schedule identifying (for each capital asset for which OPWDD approved the costs prior to July 1, 2014) total actual costs, reimbursable costs, total financing cost, allowable depreciation and interest for the remaining useful life, and allowable reimbursement for each year of the remaining useful life.

The new methodology and the accompanying amendments do not apply to the state as a provider of services.

There will be no savings or costs to local governments as a result of these regulations because pursuant to Social Services Law sections 365 and 368-a, either local governments incur no costs for these services or the State reimburses local governments for their share of the cost of Medicaid funded programs and services. In addition, even if the amendments lead to an increase in Medicaid expenditures in a particular county, these amendments will not have any fiscal impact on local governments, as the contribution of local governments to Medicaid has been capped. Chapter 58 of the Laws of 2005 places a cap on the local share of Medicaid costs and local governments are already paying for Medicaid at the capped level.

Costs to private regulated parties:

The emergency/proposed regulations will amend the new reimbursement methodology for residential habilitation in IRAs/CRs and day habilitation. Application of the changes in the methodology for SSI and budget neutrality is expected to result in increased rates for all non-state operated providers. Overall reimbursement to providers will be increased by approximately \$29 million from July 2014 through June 2015 due to these changes. Application of the changes in the methodology for capital cost to day habilitation may result in lower reimbursement per year, but full approved capital costs will be reimbursed over the 25 year amortization period.

Local Government Mandates:

There are no new requirements imposed by the rule on any county, city, town, village, school, fire or other special district.

Paperwork:

The emergency/proposed amendments increase paperwork to be completed by providers. The amendments require providers of day habilitation services to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition for the 2% compensation increase, each provider will have to submit an attestation, signed by members of the board of directors, stating how the provider will

distribute the direct care and clinical compensation payments to its employees.

Duplication:

The emergency/proposed regulations do not duplicate any existing State or federal requirements that are applicable to services for persons with developmental disabilities.

Alternatives:

Since certain of the methodology changes in these amendments are required by CMS and others are mandated by State law, OPWDD and DOH did not consider any alternatives, because any alternatives would not be in compliance with recently articulated CMS policy and requirements.

Federal Standards:

The emergency/proposed amendments do not exceed any minimum standards of the federal government for the same or similar subject areas.

Compliance Schedule:

DOH is adopting the amendments on an emergency basis effective January 1, 2015. DOH expects to finalize the amendments as soon as possible within the timeframes established by the State Administrative Procedure Act.

Regulatory Flexibility Analysis

Effect of Rule:

OPWDD and DOH have determined, through a review of the certified cost reports, that most residential habilitation services delivered in Individualized Residential Alternatives (IRAs) and Community Residences (CRs) and most day habilitation services are provided by agencies that employ more than 100 people overall. However, some smaller agencies that employ fewer than 100 employees overall would be classified as small businesses. Currently, there are 348 providers of residential habilitation services delivered in IRAs and CRs and day habilitation services. OPWDD and DOH are unable to estimate the portion of these providers that may be considered to be small businesses.

The proposed regulations amend the rate-setting methodology that was adopted in July 2014 in conformance with changes mandated by CMS after July 1, 2014.

After July 1, 2014, CMS informed OPWDD and DOH that the State could not use SSI benefits in excess of the room and board costs to offset the Medicaid rate for residential habilitation, and that CMS would require changes in reimbursement for capital assets used in day habilitation programs. These changes are that capital costs for day habilitation property acquisitions must be depreciated over 25 years; that providers must submit a schedule that identifies the differences, by capital asset, between the amounts reported on the cost report and the amounts that were approved by OPWDD; and that an independent auditor apply procedures to verify the accuracy and completeness of the schedule. The amendments contain the methodology as described in the regulations adopted in July 2014, with changes to the SSI offset, day habilitation depreciation period and reporting for day habilitation capital costs, and with additional changes to the budget neutrality factor necessitated by the change in the SSI offset. Application of the changes in the methodology regarding SSI offsets and budget neutrality is expected to result in increased rates for all providers, including providers that are small businesses. Overall reimbursement to providers will be increased by approximately \$29 million for July 2014 through June 2015. Application of the changes in the methodology for capital costs to day habilitation may result in lower reimbursement per year, but full approved capital costs will be reimbursed over the 25 year amortization period.

The changes also include an amendment to reimburse IRA and CR providers, including providers that are small businesses, for the difference between the November 1 rate and the July 1 rate, if the November 1 rate is higher. These regulations also make technical and clarifying changes to the regulations effective July 1, 2014.

In addition, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs. This change to the methodology will increase rates for all providers of the eligible services.

Compliance Requirements:

The amendments require providers of day habilitation services to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Professional Services:

Additional professional services will be required as a result of these regulations. The amendments require providers of day habilitation ser-

vices to verify the accuracy and completeness of the capital assets schedule. However, the regulations will not add to the professional service needs of local governments.

Compliance Costs:

The amendments require providers of day habilitation services to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Economic and Technological Feasibility:

The amendments do not impose on regulated parties the use of any technological processes.

Minimizing Adverse Impact:

Since the certain of the methodology changes in these amendments are required by CMS, OPWDD and DOH did not consider any alternatives, because any alternatives would not be in compliance with recently articulated CMS policy and requirements. The potential loss of federal funds that could result from non-compliance would have had far more serious consequences to providers than the minor decrease in yearly reimbursement for day habilitation costs that may result from these changes.

For the 2% compensation increase, there is no adverse economic impact on providers. Each provider will need to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees. However, the attestation is required by the enacted budget and is needed to ensure that the compensation increases are used for their intended purpose.

The Department has also reviewed and considered the approaches for minimizing adverse economic impact as suggested in section 202-b(1) of the State Administrative Procedure Act. The Department determined that the revision to reimbursement proposed in this amendment is the most optimal approach to instituting the necessary change in rate methodology while minimizing any adverse impact on providers.

Small Business and Local Government Participation:

OPWDD and DOH met with representatives of providers to discuss the SSI offset changes in the new methodology (including provider concerns) on July 21, August 18, and September 15. OPWDD and DOH also met with representatives of providers to discuss the capital changes on October 6, 2014, and met with them to discuss the 2% compensation increase on December 15. The New York State Association of Community and Residential Agencies (NYSACRA), which represents some providers that have fewer than 100 employees, was included in these meetings.

Rural Area Flexibility Analysis

Effect on Rural Areas:

Description of the types and estimation of the number of rural areas in which the rule will apply: OPWDD services are provided in every county in New York State. 43 counties have a population of less than 200,000: Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Ontario, Orleans, Oswego, Otsego, Putnam, Rensselaer, St. Lawrence, Schoenectady, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Wyoming and Yates. Additionally, certain townships in 10 counties have a population density of 150 persons or less per square mile: Albany, Broome, Dutchess, Erie, Monroe, Niagara, Oneida, Onondaga, Orange and Saratoga.

The proposed regulations amend the rate-setting methodology that was adopted in July 2014 in conformance with changes mandated by CMS after July 1, 2014.

After July 1, 2014, CMS informed OPWDD and DOH that the State could not use SSI benefits in excess of the room and board costs to offset the Medicaid rate for residential habilitation, and that CMS would require changes in reimbursement for capital assets used in day habilitation programs. These changes are that capital costs for day habilitation property acquisitions must be depreciated over 25 years; that providers must submit a schedule that identifies the differences, by capital asset, between the amounts reported on the cost report and amounts that were approved by OPWDD; and that an independent auditor apply procedures to verify the accuracy and completeness of the schedule. The amendments contain the methodology as described in the regulations adopted in July 2014, with changes to the SSI offset, day habilitation depreciation period and reporting for day habilitation capital costs, and with additional changes to the budget neutrality factor necessitated by the change in the SSI offset. Application of the changes in the methodology regarding SSI offsets and budget neutrality is expected to result in increased rates for all providers,

including providers in rural areas. Overall reimbursement to providers will be increased by approximately \$29 million for July 2014 through June 2015. Application of the changes in the methodology for capital costs to day habilitation may result in lower reimbursement per year, but full approved capital costs will be reimbursed over the 25 year depreciation period.

The changes also include an amendment to reimburse IRA and CR providers, including providers in rural areas, for the difference between the November 1 rate and the July 1 rate, if the November 1 rate is higher. These regulations also make technical and clarifying changes to the regulations effective July 1, 2014.

In addition, the 2014-15 enacted budget included funding to support a 2% increase for direct support staff on January 1, 2015 and April 1, 2015, as well as a 2% increase for clinical staff on April 1, 2015 for eligible programs. This change to the methodology will increase rates for all providers of the eligible services.

Reporting, Recordkeeping and Other Compliance Requirements and Professional Services:

There will be additional reporting, recordkeeping, and professional services imposed by these amendments. The amendments require providers of day habilitation services to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

The amendments will have no effect on local governments.

No additional professional services will be required as a result of these regulations and the regulations will not add to the professional service needs of local governments.

Costs:

The amendments require providers of day habilitation services to submit a capital assets schedule to OPWDD as part of the annual cost report, to identify the differences, by asset, between the amount on the cost report and the amount prior approved by OPWDD, and to have an independent auditor apply procedures to verify the accuracy and completeness of the capital assets schedule. In addition, for the 2% compensation increase, each provider will be required to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees.

Minimizing Adverse Impact:

Since certain of the methodology changes in these amendments are required by CMS, OPWDD and DOH did not consider any alternatives, because any alternatives would not be in compliance with recently articulated CMS policy and requirements. The potential loss of federal funds that could result from non-compliance would have had far more serious consequences to providers than the minor decrease in annual reimbursement for day habilitation capital costs that may result from these changes.

For the 2% compensation increase, there is no adverse economic impact on providers. Each provider will need to submit an attestation, signed by members of the board of directors, stating how the provider will distribute the direct care and clinical compensation payments to its employees. However, the attestation is required by the enacted budget and is needed to ensure that the compensation increases are used for their intended purpose.

The Department has also reviewed and considered the approaches for minimizing adverse economic impact as suggested in section 202-b(1) of the State Administrative Procedure Act. The Department determined that the revision to reimbursement proposed in this amendment is the most optimal approach to instituting the necessary change in rate methodology while minimizing any adverse impact on providers.

Rural Area Participation:

Participation of public and private interests in rural areas: OPWDD and DOH met with representatives of providers to discuss the SSI offset changes in the new methodology (including provider concerns) on July 21, August 18, and September 15. OPWDD and DOH met with representatives of providers to discuss the capital changes on October 6, 2014, and met with them to discuss the 2% compensation increase on December 15, 2014. The NYS Association of Community and Residential Agencies (NYSACRA), which represents some providers in rural areas, was included in these meetings.

Job Impact Statement

A job impact statement is not being submitted for this emergency/proposed rulemaking because this rulemaking will not have a substantial adverse impact on jobs or employment opportunities.

The emergency/proposed regulations amend the rate-setting methodol-

ogy that was adopted in July 2014 in conformance with changes mandated by CMS after July 1, 2014. In addition, the proposed regulations change the methodologies for rates and fees for the affected programs to provide funding to support a January 1, 2015 2% salary increase and an April 1, 2015 2% increase for direct support staff, as well as an April 1, 2015 2% increase for clinical staff for the affected residential and day programs, to include funding to support these increases.

All providers will experience an increase in funding as a result of the changes to the SSI offset, budget neutrality factor and 2% compensation increase in these amendments. Application of the changes in the methodology for capital costs to day habilitation may result in lower reimbursement per year, but full approved capital costs will be reimbursed over the 25 year depreciation period.

The amendments are therefore expected to have no significant adverse impact on jobs and employment opportunities with providers.

Assessment of Public Comment

The agency received no public comment since publication of the last assessment of public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems

I.D. No. HLT-11-15-00019-P

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

Proposed Action: Amendment of Part 75 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 201(1)(l)

Subject: Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems.

Purpose: Establishes minimum water quality standards for individual onsite water supply systems.

Text of proposed rule: Pursuant to the authority vested in the Commissioner of Health by Section 201(1)(l) of the Public Health Law, Part 75 and Appendix 75-A of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York are amended and a new Appendix 75-C is added to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

* * *

PART 75

STANDARDS FOR INDIVIDUAL *ONSITE* WATER SUPPLY AND INDIVIDUAL [SEWAGE] *ONSITE* WASTEWATER TREATMENT SYSTEMS

(Statutory authority: Public Health Law, Section 201(1)(l))

Section 75.1 Statement of purpose. The rules contained in this Part have been promulgated to protect the health and safety of those persons who must use an individual *onsite* water supply system, an individual [sewage] *onsite* wastewater treatment system, or both, when a municipal or communal system is not available.

75.2 Applicability and scope. This Part shall apply through the entire State of New York and shall represent minimum [requirements] *standards* for individual *onsite* water supply and for individual [sewage] *onsite* wastewater treatment systems.

75.3 Definitions. As used in this Part, the following words and phrases shall have the following meanings:

(a) Individual *onsite* water supply system means [a] *an onsite* water [supply] *system* intended to [supply one or more single parcels] *serve a single parcel* of land, [except when] *which is not* supplied by a public water supply as defined in Part 5 of this Title.

(b) Individual [sewage] *onsite* wastewater treatment system means [a] *an onsite* facility serving [one or more parcels] *a single parcel* of land [or residential household] and treating sewage or other liquid wastes for discharge into the groundwaters of the State [, except where a permit for such a facility is required under the applicable provisions of Article 17 of the Environmental Conservation Law].

(c) General waiver means a waiver that exempts any portion of the standards for individual *onsite* water supply and/or for individual [sewage] *onsite* wastewater treatment systems because of unique local conditions.

(d) Specific waiver means a waiver granted in an individual situation because of a hardship or other circumstance that makes it impractical to comply with a standard for individual *onsite* water supply or for individual [sewage] *onsite* wastewater treatment systems.

(e) Local waiver [is] means a waiver that allows the routine use of alternative-type [sewage] wastewater treatment system(s) by a municipality.

(f) Design professional means a person licensed to practice engineering or architecture in New York State by the State Education Department in accordance with Article 145 or Article 147 of Title VIII of the New York State Education Law, respectively, and who is currently registered with the New York State Education Department.

75.4 [Standards] Minimum standards for individual onsite water supply systems.

(a) Individual onsite water supply systems shall be designed[,] and constructed [and maintained] in accordance with the standards of the State Commissioner of Health as set forth in Appendix 5-B of this Title.

(b) All treatment devices for an individual onsite water supply must be designed, constructed[,] and installed [and maintained] in accordance with standards acceptable to the State Commissioner of Health as set forth in Appendix 75-B of this Title.

(c) The standards set forth in Appendix 75-C shall represent statewide water quality standards for individual onsite water supply systems. The State or county health department official having jurisdiction may require that individual onsite water supply systems be tested for compliance with the standards set forth in Appendix 75-C, and for such additional contaminants as such official determines are necessary or appropriate to protect public health.

75.5 [Standards] Minimum standards for individual [sewage] onsite wastewater treatment systems.

(a) Individual [sewage] onsite wastewater treatment systems shall be designed and constructed in accordance with the standards of the State Commissioner of Health as set forth in Appendix 75-A of this Title.

(b) Plans for the design of individual onsite wastewater treatment systems shall be prepared directly by or under the supervision of a design professional.

(c) Prior to construction of an individual onsite wastewater treatment system utilizing an alternative system pursuant to 10 NYCRR Appendix 75-A, plans for the design of the system shall be reviewed and approved by the State or county health department official having jurisdiction. A design professional shall supervise the construction of the alternative system and ensure that such construction conforms to the approved plans. After construction is completed, a design professional shall provide the State or county health department official having jurisdiction with a certification that the construction of the alternative system was supervised by a design professional and that such construction conforms to the approved plans.

* * *

APPENDIX 75-A

Subdivision (e) of Appendix 75-A.9 is repealed.

Subdivision (c) of Appendix 75-A.10 is repealed.

* * *

A new appendix 75-C is added as follows:

APPENDIX 75-C

INDIVIDUAL ONSITE WATER SUPPLY SYSTEMS – STATEWIDE WATER QUALITY STANDARDS

(Statutory Authority: Public Health Law, 201(1)(1))

TABLE 1

The standards in Table 1 shall not be exceeded:

Contaminant	Standard (1)
Coliform Bacteria	Any positive result (2)
Lead	0.015 mg/l
Nitrates	10 mg/l as Nitrogen
Nitrites	1 mg/l as Nitrogen
Turbidity	5 NTU (3)
Arsenic	0.010 mg/l

(1) mg/l means milligrams per liter (parts per million).

(2) A “positive” result means that coliform bacteria are present; a “negative” result means that coliform bacteria are absent or are not present.

(3) NTU means Nephelometric Turbidity Units.

TABLE 2

Exceeding the following standards may necessitate (1) installation and maintenance of water treatment devices, or (2) limited daily consumption of water by certain persons:

Contaminant	Standard (1)
Iron	0.3 mg/l (2)
Manganese	0.3 mg/l (2)
Iron plus manganese	0.5 mg/l (2)
Hardness	150 mg/l as CaCO ₃ (2)
Alkalinity	100 mg/l as CaCO ₃ (2)
pH	6.5 – 8.5 (3)
Sodium	No designated limit (4)

(1) mg/l means milligrams per liter (parts per million).

(2) If standards are exceeded options for treatment should be evaluated.

(3) If pH values are outside of this range (i.e., less than 6.5 or greater than 8.5) options for treatment should be evaluated.

(4) Water containing more than 20 mg/l of sodium should not be used for drinking by people on severely restricted sodium diets. Water containing more than 270 mg/l of sodium should not be used for drinking by people on moderately restricted sodium diets.

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

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

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

Regulatory Impact Statement

Statutory Authority:

Public Health Law (PHL) § 201(1)(1) authorizes the Department of Health (Department) to regulate the sanitary aspects of water supplies and sewage disposal systems, which includes individual onsite water supply systems and individual onsite wastewater treatment systems.

Legislative Objectives:

The legislative objective of PHL § 201(1)(1) is to ensure that the public health is protected by ensuring the safety and sanitation of individual onsite water supply systems and individual onsite wastewater treatment systems.

Needs and Benefits:

These amendments will protect public health by: updating certain terms to conform with nationally-recognized nomenclature; clarifying the standards and requirements for individual onsite wastewater treatment systems (also known as OWTS or septic systems); ensuring that plans for OWTS systems are prepared by a design professional; and establishing new minimum water quality standards for individual onsite water supply systems (also known as IWS systems).

These amendments retitle 10 NYCRR Part 75, currently “Standards for Individual Water Supply and Individual Sewage Treatment Systems”, to “Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems.” The term “onsite” will be included throughout Part 75 and Appendix 75-C, in reference to IWS and OWTS systems. Further, consistent with Appendix 75-A, the term “wastewater” will replace the term “sewage” in Part 75, in reference to OWTS systems. These updates better reflect the conventional and nationally-recognized nomenclature for non-public water and wastewater systems.

The definitions of “individual onsite water supply system” and “individual onsite wastewater treatment system” are further amended to remove references to such systems possibly serving more than one parcel. This codifies a long-standing Department policy that these systems should serve only one property. Counties already apply this standard when reviewing these systems.

Additionally, Part 75 is amended to clarify the requirement that the design of an OWTS system be prepared by a design professional. This is already required pursuant to Articles 145 and 147 of the Education Law, pertaining to the professional standards for engineering and architecture, respectively. By ensuring that plans for OWTS systems are prepared and constructed by a design professional, these amendments will reduce premature OWTS failures.

Part 75 will be amended to require that, prior to construction, designs for OWTS systems that utilize “alternative systems”, as described in Appendix 75-A, be reviewed and approved by the State or county health department official having jurisdiction. Further, after construction is completed, a design professional must provide the State or county health department official having jurisdiction with a certification that the construction of the alternative system was supervised by a design professional and that such construction conforms to the approved plans.

Appendix 75-A is amended to delete subdivision (e) of section A.9,

concerning Evaporation-Transpiration (ET) and Evapo-Transpiration Absorption (ETA) Systems. ET and ETA systems require very dry climates, and are therefore not suitable for use in New York State. For this reason, all references to such systems were intended to be removed as part of a 2010 amendment to Appendix 75-A. This amendment would remove this residual reference.

Similarly, Appendix 75-A is amended to delete subdivision (c) of section 75-A.10, concerning Engineered Systems. All references to engineered systems were also intended to be removed in the 2010 amendment, and this amendment would remove a residual reference. Unlike ET and ETA systems, however, engineered systems may still be approved pursuant to Appendix 75-A.11, which provides for specific waivers from the specified design standards under appropriate conditions.

Finally, proposed Appendix 75-C would create a statewide minimum standard for testing IWS system water quality. These regulations do not require that water be tested for compliance with these standards. Rather, counties may choose to require compliance, through their county sanitary codes.

In particular, proposed Appendix 75-C lists IWS water quality standards for: coliform bacteria, lead, nitrate, nitrite, turbidity, arsenic, iron, manganese, iron plus manganese, hardness, alkalinity, pH and sodium. The State or county health department official having jurisdiction may require testing for additional contaminants based on locally known or suspected water source contamination.

Several of the standards in the proposed Appendix 75-C are derived from preexisting standards. In the past, the Department of Health published a booklet entitled Rural Water Supply, which included water well construction standards and also the U.S. Housing and Urban Development (HUD) mortgage requirement relating to water quality testing parameters list (July 27, 1995). Rural Water Supply was replaced in November of 2005 with 10 NYCRR Appendix 5-B, "Standards for Water Wells" (a water well construction standard); however, Appendix 5-B did not include the HUD water quality testing standards of 1995. The water quality standards proposed in the new Appendix 75-C incorporates those prior standards. Additionally, an arsenic standard is included in Appendix 75-C, based on considerable public and private water system water quality testing data compiled from the past several years.

Costs:

Costs to Regulated Parties:

No additional costs will be incurred. These amendments clarify regulations and codify existing policies. With respect to the new IWS water quality standards, local health departments may choose whether to require testing to determine compliance. Several LHDs have already codified an IWS water quality minimum standard via county sanitary code or other county policy.

Costs to Local Government:

No additional costs will be incurred. These amendments clarify regulations and codify existing policies. With respect to the new IWS water quality standards, local health departments may choose whether to require testing to determine compliance. Several LHDs have already codified an IWS water quality minimum standard via county sanitary code or other county policy.

Costs to State Government:

There will be no additional costs to the State. The State will provide any necessary training or guidance using existing resources.

Local Government Mandates:

The proposed addition does not impose new program responsibilities on any county, city, town, village, school district, fire district or special district.

Paperwork:

No new reporting requirements are created by the proposal.

Duplication:

This regulation does not duplicate any existing federal, state or local regulation.

Alternatives:

One alternative to the proposed revisions is to take no action. With respect to water quality standards for IWS systems, county health departments could specify their own water quality standards. This amendment, however, will promote consistency by providing a statewide IWS water quality standard. Additionally, failing to amend Part 75 to clarify that designs for OWTS systems must be prepared by a design professional would mean that there would be a continued lack of awareness of this existing Education Law requirement, which could lead to increased OWTS failures.

Federal Standards:

No federal standards exist.

Compliance Schedule:

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

Regulatory Flexibility Analysis

Effects on Small Business and Local Government:

No effect on small business and local government is anticipated.

With respect to local governments, no additional costs will be incurred. These amendments clarify regulations and codify existing policies. With respect to the new IWS water quality standards, local health departments may choose whether to require testing to determine compliance.

None of the changes apply directly to small businesses. Although it is possible that some small businesses are served by IWS systems, it remains the county's option whether to apply the minimum water quality standards to such systems.

Reporting and Recordkeeping:

No new reporting or recordkeeping requirements are created by this rule.

Professional Services:

No new professional services will be required by this rule.

Other Compliance Requirements:

There are no other compliance requirements mandated by this rule.

Costs:

Potential Costs to Homeowners:

There are no additional costs to homeowners mandated by this rule.

Potential Costs to Local Government:

There are no additional costs to local government mandated by this rule.

Economic and Technological Feasibility:

The proposed rule is economically and technologically feasible. With respect to the IWS water quality standards, as discussed, it is the county's option whether to require testing of such systems. Moreover, for many years, the Department's realty subdivision approval program has required similar testing, and there has been no indication that such testing is not feasible. Additionally, several LHDs have already codified an IWS water quality minimum standard via county sanitary code or other county policy.

Minimizing Adverse Economic Impact:

With respect to local governments, no additional costs will be incurred. These amendments clarify regulations and codify existing policies. With respect to the new IWS water quality standards, local health departments may choose whether to require testing to determine compliance. In fact, where counties do choose to require water quality testing for IWS systems, these regulations will have a positive economic impact by ensuring that drinking water from IWS systems meets certain standards.

Small Business and Local Government Participation:

During May and June of 2007, the Department surveyed county health departments to gather information regarding current individual water quality testing requirements. The survey also solicited recommendations for minimum testing requirements and a water quality minimum standard.

Survey results indicated that most county officials support the development of a residential water supply water quality minimum standard. Several counties already have codified a residential water quality minimum standard in their County Sanitary Code or by county policy. The Department studied and considered all survey responses when developing the proposed rule.

Rural Area Flexibility Analysis

Types and Estimated Number of Rural Areas:

In general, IWS and OWTS systems are used in rural and suburban areas that do not have access to public water distribution mains and sewers. Based upon information from the 1990 U.S. Census, populations in the upstate central New York/Finger Lakes counties, north-country/Adirondack counties, Catskill region counties, east-of-Hudson counties, and eastern Long Island are more likely to rely on IWS than other types of supplies.

Reporting and Recordkeeping:

No new reporting or recordkeeping requirements are created by this rule.

Professional Services:

No additional requirement for professional licensing, certification, or registration is required under the proposed rule.

Other Compliance Requirements:

There are no other compliance requirements mandated by this rule.

Costs:

Projected Costs of Compliance:

No additional costs will be incurred by this rule.

Potential Costs for End Users:

No additional costs will be incurred by this rule.

Potential Costs to Local Government:

There are no additional costs to local government mandated by this rule.

Minimizing Adverse Economic Impact on Rural Areas:

For those amendments that simply clarify or codify existing policy, no adverse economic impact is anticipated. With respect to the minimum water quality standards for IWS systems, because counties have the option of whether to require testing, there is not expected to be any adverse economic impact. Moreover, many counties have already adopted similar policies. In fact, where counties do choose to require water quality testing

for IWS systems, these regulations will have a positive economic impact by ensuring that drinking water from IWS systems meets certain standards.

Rural Area Participation:

During May and June of 2007, the Department surveyed county health departments to gather information regarding current individual water quality testing requirements. The survey also solicited recommendations for minimum testing requirements and a water quality minimum standard.

Survey results indicated that most county officials support the development of a residential water supply water quality minimum standard. Several counties already have codified a residential water quality minimum standard in their County Sanitary Code or by county policy. The Department studied and considered all survey responses when developing the proposed rule.

Job Impact Statement

The Department has determined that the rule will not have substantial adverse impact on jobs or employment opportunities. These amendments will protect public health by: updating certain terms to conform with nationally-recognized nomenclature; clarifying the standards and requirements for individual onsite wastewater treatment systems (also known as OWTS or septic systems); ensuring that plans for OWTS systems are prepared by a design professional; and by establishing new minimum water quality standards for individual onsite water supply systems (also known as IWS systems). These changes do not impact jobs or employment opportunities.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

School Immunization Requirements

I.D. No. HLT-11-15-00020-P

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

Proposed Action: Amendment of Subpart 66-1 of Title 10 NYCRR.

Statutory authority: Public Health Law, sections 2164 and 2168

Subject: School Immunization Requirements.

Purpose: Update regulations to ensure children entering grades kindergarten through 12 receive adequate number of required immunizations.

Substance of proposed rule (Full text is posted at the following State website: www.health.ny.gov): This proposal will amend Subpart 66-1 (School Immunization Requirements) to update regulations to ensure that children entering kindergarten through twelfth grade (or comparable age level grade equivalents) receive an adequate number of required immunizations, to incorporate the current Advisory Committee on Immunization Practices (ACIP) Recommended Schedules, to conform the regulations for the New York State Immunization Information System (NYSIIS) to statutory amendments, and to clarify acceptable certificates of immunization. The regulations would be effective July 1, 2015.

Proposed amendments to Section 66-1.1 provide that children entering eighth through twelfth grade in the 2015-2016 school year shall be deemed in compliance with all immunization requirements until graduation, if they had satisfied the immunization requirements in effect in regulation on June 30, 2014.

Proposed amendments to Section 66-1.1 provide that, children entering kindergarten through twelfth grade (excepting those children entering eighth through twelfth grade in the 2015-2016 school year) must have received, in accordance with ACIP minimum intervals and dosage recommendations:

- two doses of measles-containing vaccine, two doses of mumps-containing vaccine, and at least one dose of rubella-containing vaccine.
- five doses of diphtheria and tetanus toxoids and acellular pertussis vaccine (DTaP). If, however, the fourth dose of DTaP was given at forty-eight months of age or older, only four doses are required.
- four doses of poliomyelitis vaccine. If, however, the third dose was given at forty-eight months of age or older, only three doses are required.

Proposed amendments to Section 66-1.1 further provide that upon entry to sixth grade or a comparable age level grade equivalent, a child eleven years of age or older must receive a booster immunization containing tetanus and diphtheria toxoids and acellular pertussis vaccine.

The proposed amendments to Section 66-1.1 also update the regulation to incorporate the 2014 ACIP schedule -- the Advisory Committee on Immunization Practices Recommended Immunization Schedules for Persons Aged 0 Through 18 Years.

The amendments to Section 66-1.1 also provide that, students who are "in process" or following the ACIP "catch-up" schedule must follow the minimum intervals prescribed by the ACIP schedule. These proposed

amendments do not address additional immunizations that may be required for school admission by the New York City Health Code.

Proposed amendments to Section 66-1.2 update the regulations to conform to changes in the NYSIIS statute (Public Health Law § 2168). The proposed amendments add colleges, professional and technical schools, and children's overnight and summer day camps as authorized users of NYSIIS and grant access to de-identified registry information for research purposes. Proposed amendments to Section 66-1.2 also permit the exchange of registry information with the Indian Health Service and tribal nations. Proposed amendments to Section 66-1.2 also remove two electronic reporting exemptions and remove the ability to request an extension on the required 14 day reporting period.

Proposed amendments to Section 66-1.6 clarify acceptable certificates of immunization. The proposed amendments provide that a certificate of immunization generally must be signed by a health practitioner licensed in New York State and that a record issued by NYSIIS, the Citywide Immunization Registry (CIR), an official immunization registry from another state, an electronic health record and/or an official record from a foreign nation may be accepted without a health practitioner's signature.

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

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

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

Regulatory Impact Statement

Statutory Authority:

The authority for school entry immunization requirements stems from Article 21, Title VI, Section 2164 of the Public Health law (PHL): Poliomyelitis and Other Diseases. PHL § 2164 mandates the vaccination of children as a condition of entry/attendance to school. PHL § 2164(10) authorizes the commissioner to promulgate regulations to effectuate the provisions and purposes of PHL § 2164. The authority for the statewide immunization information system stems from Article 21, Title VI, Section 2168 of the Public Health Law (PHL): Poliomyelitis and Other Diseases. PHL § 2168 establishes the New York State Immunization Information System (NYSIIS). PHL § 2168(13) authorizes the commissioner to promulgate regulations to effectuate the provisions of PHL § 2168.

Legislative Objectives:

The legislative objective of PHL § 2164 includes the protection of the health of residents of the state by assuring that children are immunized according to current recommendations before attending day care, pre-k, or school, to prevent the transmission of vaccine preventable disease and accompanying morbidity and mortality. The legislative objective of PHL § 2168 is to establish a comprehensive database of complete, accurate and secure immunization records.

Needs and Benefits:

The purpose of the proposed regulatory changes is to update the existing school immunization requirements to ensure that children receive complete series of measles, mumps and rubella (MMR), diphtheria, tetanus and acellular pertussis (DTaP), and poliomyelitis vaccines by kindergarten or school entry. The school immunization regulations were last updated for the 2014-2015 school year to require that children receive an age-appropriate number of doses of immunizations, as determined by the 2013 Advisory Committee on Immunization Practices (ACIP) Immunization Schedule.

During implementation of the regulatory changes for the 2014-2015 school year, several limitations to the existing regulations were identified, necessitating further amendments to the regulations for the 2015-2016 school year. Chief among these was the timing of the final doses of the MMR, DTaP, and poliomyelitis vaccine series. Prior to the regulatory changes for the 2014-2015 school year, students entering kindergarten through twelfth grade were required to receive two doses of measles-containing vaccine, or other acceptable evidence of immunity, regardless of age. Although ACIP statements on each of these vaccine series recommend completion of these series prior to kindergarten or school entry, the 2013 ACIP Immunization Schedule, which was incorporated by reference into the recently revised regulations, recommended administration of the final doses of each of these series at four to six years of age.¹⁻⁴ As a result, students were not required to receive the final dose until the end of the recommended age range -- i.e., the child's seventh birthday. As nearly all students in kindergarten are less than seven years of age, the kindergarten requirement for measles-containing vaccine has effectively been reduced from two doses to one dose. Likewise, students cannot be required under the existing regulation to receive the final doses of DTaP and poliomyelitis vaccines until they reach seven years of age. This was an unanticipated byproduct of the incorporation by reference of the ACIP schedule which was not identified during the regulatory change process.

It is of the utmost public health importance that students entering kindergarten be maximally protected with complete MMR, DTaP and polioimmunization vaccine series. The United States (U.S.) is currently experiencing a record number of measles cases. Nearly 600 measles cases were reported in the U.S. from January 1 through August 15, 2014 – the highest number of cases reported since measles elimination was documented in the U.S. in 2000.⁵ This number includes a large measles outbreak in New York City (NYC) and additional measles cases in New York State (NYS) outside of NYC in 2014. An ongoing large measles outbreak in the Philippines has contributed to measles cases to the U.S., including four NYS and NYC cases with confirmed or suspected epidemiologic links to the Philippines this year. A recent edition of the Morbidity and Mortality Weekly Report (MMWR) provides details on measles cases and outbreaks in the U.S. in 2014 to date.⁶

Reported cases of pertussis are also increasing nationwide. California has declared a pertussis epidemic, with over 7500 cases, including elementary, middle, and high school outbreaks, reported from January 1, 2014 to August 18, 2014.⁷ NYS experienced a record peak year of pertussis incidence in 2012, with 2,713 cases of pertussis reported outside of NYC, exceeding the last large NYS pertussis outbreak of 1,969 cases in 2004. As pertussis outbreaks occur cyclically and typically peak every three to five years, NYS could experience its next pertussis peak year as soon as 2015.

On May 5, 2014, the director-general of the World Health Organization (WHO) declared the international spread of poliomyelitis to be a public health emergency of international concern under the authority of the International Health Regulations. The WHO has designated four countries (Cameroon, Equatorial Guinea, Pakistan, and Syria) as “exporting wild poliovirus” and an additional six countries (Afghanistan, Ethiopia, Iraq, Israel, Nigeria, and Somalia) are designated as “infected with wild poliovirus.”⁸ Although poliomyelitis was declared eliminated from the U.S. in 1979, it remains crucial to maintain high rates of vaccination because poliomyelitis could be brought in to the U.S. from countries where poliovirus is circulating.

In contrast to the MMR, DTaP and poliomyelitis age-based immunization requirements, the regulatory amendments made for the 2014-2015 school year explicitly stated that children entering kindergarten must have received two doses of varicella vaccine or other acceptable evidence of varicella immunity. The proposed regulatory changes mirror the varicella language in the existing regulation to require completion of the poliomyelitis, MMR and DTaP vaccine series, or other acceptable evidence of immunity, for kindergarten and school entry. The move from age-based to kindergarten entry requirements will improve community immunity in schools against these vaccine preventable diseases and enhance the ability of schools to enforce immunization requirements.

In addition, the requirement for vaccine intervals to be consistent with the 2013 ACIP schedule has created significant problems for adolescent students, who received vaccine doses eight or more years ago, under standards of care that may have been appropriate at the time of vaccine administration, but may no longer be consistent with the 2013 ACIP schedule.

To ameliorate this situation, the proposed regulatory change allows those students entering eighth through twelfth grades (or comparable age level grade equivalents) only during the 2015-2016 school year to be in compliance with school immunization requirements until graduation if they had previously satisfied the school immunization requirements in effect in regulation on June 30, 2014. This change would exempt this cohort of students from the revised vaccine interval requirements established by the current ACIP schedule, but still require that such students be age-appropriately vaccinated under the prior school immunization requirements.

To improve the completeness and accuracy of NYSIS data and to further assist educational institutions with locating up-to-date immunization histories for their students, two exemptions for electronic reporting to NYSIS have been removed from the regulation. These exemptions were important when NYSIS was first launched to assist with the initial training of providers. They are no longer needed as NYSIS has been an active system for over six years. All NYS providers must report complete and timely immunization data to NYSIS. In addition, to conform to changes in PHL § 2168, the regulations have been updated to add colleges, professional and technical schools, and children's overnight and summer day camps as authorized users of NYSIS and to grant access to de-identified registry information for research purposes. The regulations have also been updated to permit the exchange of registry information with the Indian Health Service and tribal nations as also allowed by amendments to PHL § 2168.

Finally, the revised regulations clarify the requirements for acceptable certificates of immunization to allow records issued by NYSIS, the Citywide Immunization Registry (CIR), or another state immunization registry, an electronic health record, and/or an official record from a

foreign nation to be accepted without a health practitioner's signature. This change reflects the increasing usage of electronic health records and immunization registries.

Costs:

Costs to State Government including the Department of Health:

The proposed regulatory changes are not expected to result in substantial costs to state government, but instead will likely result in cost savings to the state. Routine childhood immunizations have been estimated to result in a cost savings of approximately \$13.5 billion in direct costs and \$68.8 billion in societal costs. The CDC estimates that every dollar spent on immunization saves at least ten dollars in aggregate societal costs.⁹ Potential savings to Medicaid and other payers are also expected secondary to the prevention of cases of disease.

Costs to Local Governments:

The cost to local governments and school districts is difficult to estimate. School staff already collect immunization records and ensure that students comply with school entry requirements. The move from age-based to kindergarten entry requirements for MMR, DTaP and polio vaccines will only directly impact students four to six years of age as students seven years of age and older are already required to have these doses under existing regulation. While there will be initial work associated with ensuring that students in this age range meet the new kindergarten entry requirements, this change should reduce long-term administrative costs for school districts by markedly reducing the number of “in process” students that the school must monitor. In addition, exempting the cohort of students entering eighth through twelfth grades during the 2015 – 2016 school year from the vaccine interval requirements will significantly reduce immunization assessment work for school districts. The clarification of acceptable certificates of immunization should further reduce administrative costs to school districts associated with verifying that certificates of immunization meet regulatory requirements.

Costs to Private Regulated Parties:

It is difficult to determine what if any additional expenses may be incurred by these measures, however, costs are predicted to be minimal. Given that the revised school entry requirements are consistent with ACIP immunization recommendations, many medical practices already administer these vaccines to their patients prior to kindergarten entry.

Local Government Mandates:

The revised school entry regulations will not impose any additional mandates on local governments or school districts. NYS school districts are already required by PHL § 2164 to verify all students' immunization histories.

Paperwork:

The revised school entry regulations will not increase the normal amount of the State's paperwork. Because schools are already required to maintain student immunization records, there will be no increase in their paperwork.

Duplication:

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

Alternatives:

No alternatives were considered given that other alternatives would only result in inconsistencies with national immunization policy and good medical practice.

Federal Standards:

In the United States, all school entry immunization laws are created by individual states. There is no federal standard with regard to school entry immunization regulations.

Compliance Schedule:

All affected children will be required to adhere to the proposed school entry regulations on and after July 1, 2015.

REFERENCES

- 1) Prevention of Measles, Rubella, Congenital Rubella Syndrome, and Mumps, 2013: Summary Recommendations of the Advisory Committee on Immunization Practices (ACIP). Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, 2013; 62(RR04); 1-34.
- 2) Pertussis Vaccination: Use of Acellular Pertussis Vaccines Among Infants and Young Children Recommendations of the Advisory Committee on Immunization Practices (ACIP). Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, 1997; 46(RR-7); 1-25.
- 3) Poliomyelitis Prevention in the United States: Updated Recommendations of the Advisory Committee on Immunization Practices (ACIP). Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, 2000; 49(RR05); 1-22.
- 4) Advisory Committee on Immunization Practices Recommended Immunization Schedule for Persons Aged 0 Through 18 Years – United States, 2013. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, 2013; 62 (Suppl 1); 2-8.

5) Centers for Disease Control and Prevention. Measles Cases and Outbreaks. Accessed August 22, 2014. <http://www.cdc.gov/measles/cases-outbreaks.html>.

6) Measles – United States, January 1 – May 23, 2014. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, 2014; 63(22); 496–499.

7) California Department of Public Health. Pertussis Summary Reports. Accessed August 22, 2014. <http://www.cdph.ca.gov/programs/immunize/Pages/PertussisSummaryReports.aspx>.

8) Interim CDC Guidance for Polio Vaccination for Travel to and from Countries Affected by Wild Poliovirus. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, 2014; 63(27); 591–594.

9) Zhou F, Shefer A, Wenger J, Messonnier M, Wang LY, Lopez A, Moore M, Murphy TV, Cortese M, Rodewald L. Economic Evaluation of the Routine Childhood Immunization Program in the United States, 2009. *Pediatrics*. 2014; 133:1–9.

Regulatory Flexibility Analysis

Effect of Rule:

Any facility defined as a school pursuant to PHL § 2164 will be required to comply. Schools that are affected by this rule will include approximately: 5,498 public, private, or parochial child care centers, 9,338 day care agencies, 642 nursery schools, and 6,387 kindergartens, elementary, intermediate, or secondary class or school buildings.

Compliance Requirements:

All schools must document the immunization status of all students who are entering or attending their facility, including immunizations received, history of disease, serology performed, and/or medical or religious exemptions to said immunization(s).

The approximate number of students are as follows: 128,383 in public, private, or parochial child-caring centers, 187,752 in day care agencies, 39,312 in nursery schools, and 3,081,724 in kindergarten, elementary, intermediate, or secondary class or school buildings. However, because schools were already required to collect immunization information, the burden of compliance with this new rule is substantially minimized.

Professional Services:

Schools are already required to comply with immunization requirements for entering/attending students and therefore immunization record retrieval already occurs with necessary follow-up if applicable. It is not anticipated that schools will need to hire additional staff to meet this requirement.

Compliance Costs:

The cost to schools to meet the requirements of the proposed regulation is estimated to be minimal, because schools are already required to inspect vaccination records of all students and appropriate vaccination of the student body may result in cost savings. Specifically, it is anticipated that any costs incurred to check vaccination records will be offset by savings in direct medical costs by reducing vaccine preventable disease transmission among students, as well as savings in indirect costs associated with student and school staff absenteeism.

Economic and Technological Feasibility:

This proposal is economically and technologically feasible. Many schools currently have read-only access to retrieve immunization information from the New York State Immunization Information System (NYSIIS) for students outside of NYC, and the Citywide Immunization Registry (CIR) for students within NYC. Because schools have direct read-only access to the consolidated immunization record through NYSIIS or the CIR, they are able to efficiently identify children at risk for vaccine preventable diseases secondary to their under-immunization; this is critical during outbreak situations. In addition, access to this information simplifies assessment of immunization coverage as required for school entry/attendance.

No software needs to be purchased and no other fees are required to access the web-based systems. Using electronic tools for student record immunization queries also results in a significant cost savings when compared to the effort required to collect and analyze the volume of paper immunization histories provided by parents to the school.

Minimizing Adverse Impact:

Many, if not all schools already have mechanisms in place to verify immunization requirements.

Small Business and Local Government Participation:

The proposed regulatory changes were drafted in response to feedback from multiple stakeholders, including public and private schools, local health departments, and health care providers. In addition, New York City Department of Health and Mental Hygiene (NYC DOHMH) and New York State Education Department (NYSED) were solicited for comments on the regulations. The NYC DOHMH is a large local government jurisdiction representing nearly half of children in New York State and NYSED oversees prekindergarten through grade 12 programs in New York State. Both NYC DOHMH and NYSED expressed support for the proposed regulatory changes.

Rural Area Flexibility Analysis

Pursuant to section 202-bb of the State Administrative Procedure Act (SAPA), a rural area flexibility analysis is not required. These provisions apply uniformly throughout New York State, including all rural areas.

The proposed rule will not impose an adverse economic impact on rural facilities defined within PHL Articles 28, 36, or 40.

Job Impact Statement

A Job Impact Statement is not included in accordance with Section 201-a(2) of the State Administrative Procedure Act (SAPA), because it will not have a substantial adverse effect on jobs and employment opportunities.

Office of Mental Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Medical Assistance Rates of Payment for Residential Treatment Facilities for Children and Youth

I.D. No. OMH-11-15-00013-P

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

Proposed Action: This is a consensus rule making to amend Part 578 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.09 and 43.02

Subject: Medical Assistance Rates of Payment for Residential Treatment Facilities for Children and Youth.

Purpose: Amend date of trend factor elimination to December 31, 2014 instead of June 30, 2015.

Text of proposed rule: Paragraph (4) of subdivision (a) of Section 578.8 of Title 14 NYCRR is amended to read as follows:

(4) The allowable costs, as set forth in paragraph (1) of this subdivision, that meet the requirements stated in paragraphs (2) and (3) of this subdivision, shall be trended by the applicable Medicare inflation factor for hospitals and units excluded from the prospective payment system except for the rate periods effective July 1, 1996 through June 30, 1997, and July 1, 2009 through June 30, 2010, where the inflation factor used to trend costs will be limited to the inflation factor for the first year of the two-year period. No trend shall be applied to allowable costs for the rate period effective July 1, 2013 through June 30, 2014, and July 1, 2014 through [June 30, 2015] *December 31, 2014*.

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

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

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

Consensus Rule Making Determination

This proposal is filed as a Consensus rule on the grounds that it is non-controversial and makes a technical correction. No person is likely to object to this proposed rule since it provides fiscal relief to Residential Treatment Facilities for Children and Youth (RTF) by reinstating the trend factor for the 2014-15 Medicaid rate calculation.

Recently, the Office of Mental Health (OMH) promulgated a rule that eliminated the trend factor from the 2014-15 Medicaid rate calculation for RTFs, which are identified as a subclass of hospitals under Section 31.26 of the Mental Hygiene Law. This amendment was the result of an administrative action consistent with the 2014-15 enacted State Budget. Under existing regulations, the trend factor was eliminated for the entire fiscal year for RTFs, which is July 1, 2014 through June 30, 2015. With the implementation of funding increases for salary and salary-related fringe benefit costs for certain staff at not-for-profit providers, it has been determined that the most expeditious way of processing this funding increase for RTFs is to reinstate the trend factor calculation effective January 1, 2015. Therefore, this consensus rule serves to make a technical change to amend the date of the trend factor elimination.

Statutory Authority: Section 7.09 of the Mental Hygiene Law grants the Commissioner of Mental Health the authority and responsibility to adopt regulations that are necessary and proper to implement matters under his or her jurisdiction. Section 43.02 of the Mental Hygiene Law provides that

the Commissioner has the power to establish standards and methods for determining rates of payment made by government agencies pursuant to Title 11 of Article 5 of the Social Services Law for services provided by facilities, including residential treatment facilities for children and youth licensed by OMH. Pursuant to Part I of Chapter 60 of the Laws of 2014, Commissioners are authorized to provide funding to support an increase in annual salary and salary-related fringe benefits for eligible staff at not-for-profit providers. Where applicable, the funding will be applied to reimbursable costs or funding amounts to support such salary increases and salary-related fringe benefit increases that took effect on or after January 1, 2014.

Job Impact Statement

A Job Impact Statement is not submitted with this notice because the purpose of the amendment is to make a technical change to recently adopted provisions within 14 NYCRR Part 578. It is evident from the rule making that there will be no adverse impact on jobs and employment opportunities.

Department of Motor Vehicles

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Commercial Learner's Permits and Commercial Driver's Licenses

I.D. No. MTV-11-15-00017-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 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 and 3.7 of Title 15 NYCRR.

Statutory authority: Vehicle and Traffic Law, sections 215(a), 410-c, 501(2)(c) and 508(4)

Subject: Commercial learner's permits and commercial driver's licenses.

Purpose: Conforms state licensing requirements to federal requirements.

Substance of proposed rule (Full text is posted at the following State website: www.dmv.ny.gov): Pursuant to the authority of the Commercial Motor Vehicle Safety Act of 1986, the Transportation Equity Act for the 21st Century and the Safe, Accountable, Flexible, Efficient Transportation Act: Legacy for Users, on May 9, 2011, the Federal Motor Carrier Safety Administration FMCSA adopted a final rule concerning Commercial Learner's Permits (CLP) and Commercial Driver's Licenses (CDL). The final rule deals with the issuance of CLPs and CDLs, permit and license sanctions resulting from violations of the law, skills tests, and a broad range of other topics related to CLPs and CDLs. This primary purpose of this proposed rulemaking is to conform the license restrictions set forth in 15 NYCRR 3.2 to the federally mandated restrictions. Failure to make such revisions by July 8, 2015 could result in the withholding of up to \$73 million in federal highway funding. The regulation includes the following provisions:

Incorporates federally mandated restrictions verbatim. For example, the "O" restriction formerly read "TRK/TRLR COMBI ONLY" and now reads "NO TRACTOR TRAILER CMV."

The DMV has re-lettered some of its current restrictions. For example, "AUTOMATIC TRANSMISSION" has been re-lettered as E1, so that E will read "NO MANUAL TRANSMISSION EQUIPPED CMV." The L1 and L2 "NO AIR BRAKES" restrictions are replaced the federally required L, "NO AIR BRAKES EQUIPPED CMV" restriction.

FMCSA advised the DMV in a 2009 audit that the F restriction must be designated as "OUTSIDE MIRRORS." Accordingly, the current F restriction is re-lettered as F1, "HEARING AID/FULL VIEW MIRROR."

Several of the amendments conform Part 3 to current procedures, delete referenced to obsolete procedures, and conform to other federal requirements in the above-mentioned rule.

It has been a longstanding State and federal requirement that no person shall apply for a CLP unless such person holds a class D license.

A person shall be issued a personal use endorsement (R) upon passage of a skills test in a recreational vehicle weighing over 26,000 pounds if such person has not passed a CDL skills test.

The proposal reflects current policy by eliminating the requirement that an affidavit of farm operation be submitted when applying for a farm endorsement.

The proposal makes clear that if a skills test is taken in a vehicle

equipped with air over hydraulic brakes, a Z restriction (NOT FULL AIR BRAKE EQUIPPED CMV) must be placed on the CDL. Air over hydraulic brakes includes any braking system operating partially on the air brake and partially on the hydraulic brake principle.

In accordance with 49 CFR 383.7(a)(2)(v) and (b)(6), an application for a CLP or a CDL shall not be accepted unless the applicant presents acceptable proofs of United States citizenship or lawful permanent residency, as prescribed by the commissioner.

Section 3.7(a)(5)(iii) currently provides that the motorcycle road test shall be waived if the person is the holder of a New York State license and has successfully completed a course given by the Motorcycle Safety Foundation (MSF). In light of VTL section 410-a, the road test should also be waived if the holder of the NYS license passes a course that is comparable to that given by MSF.

The rule will take effect on June 4, 2015, except that section 3.6(a) shall take effect on July 8, 2015. The rule shall apply to licenses issued on or after June 4, 2015.

Text of proposed rule and any required statements and analyses may be obtained from: Heidi Bazicki, Department of Motor Vehicles, 6 Empire State Plaza, Rm. 522A, Albany, NY 12228, (518) 474-0871, email: heidi.bazicki@dmv.ny.gov

Data, views or arguments may be submitted to: Ida L. Traschen, Same as No. 9.

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

Consensus Rule Making Determination

Pursuant to the authority of the Commercial Motor Vehicle Safety Act of 1986, the Transportation Equity Act for the 21st Century and the Safe, Accountable, Flexible, Efficient Transportation Act: Legacy for Users, on May 9, 2011, the Federal Motor Carrier Safety Administration FMCSA adopted a final rule concerning Commercial Learner's Permits (CLP) and Commercial Driver's Licenses (CDL). The final rule deals with the issuance of CLPs and CDLs, permit and license sanctions resulting from violations of the law, skills tests, and a broad range of other topics related to CLPs and CDLs. This primary purpose of this proposed rulemaking is to conform the license restrictions set forth in 15 NYCRR 3.2 to the federally mandated restrictions. Failure to make such revisions by July 8, 2015 could result in the withholding of up to \$73 million in federal highway funding.

49 CFR 383.95 and 383.153 set forth the federally mandated restrictions that, where appropriate, will appear on a CLP or CDL document. Every state must adopt the federally mandated restrictions verbatim, and accordingly, they are incorporated in this proposed rulemaking. Many of the restrictions are reworded to conform to the federal language, but do not substantively change the restriction. For example, the "O" restriction formerly read "TRK/TRLR COMBI ONLY" and now reads "NO TRACTOR TRAILER CMV." Because the FMCSA desires uniformity across states, all states must adopt use the same letter for each restriction. Therefore, the DMV has re-lettered some of its current restrictions. For example, "AUTOMATIC TRANSMISSION" has been re-lettered as E1, so that E will read "NO MANUAL TRANSMISSION EQUIPPED CMV." The L1 and L2 "NO AIR BRAKES" restrictions are replaced the federally required L, "NO AIR BRAKES EQUIPPED CMV" restriction.

In addition, FMCSA advised the DMV in a 2009 audit that the F restriction must be designated as "OUTSIDE MIRRORS." Accordingly, the current F restriction is re-lettered as F1, "HEARING AID/FULL VIEW MIRROR."

The remainder of the regulatory amendments conform Part 3 to current procedures, delete referenced to obsolete procedures, and conform to other federal requirements in the above-mentioned rule. The key changes are set forth below:

It has been a longstanding State and federal requirement that no person shall apply for a CLP unless such person holds a class D license.

A person shall be issued a personal use endorsement (R) upon passage of a skills test in a recreational vehicle weighing over 26,000 pounds if such person has not passed a CDL skills test.

The proposal reflects current policy by eliminating the requirement that an affidavit of farm operation be submitted when applying for a farm endorsement.

The proposal makes clear that if a skills test is taken in a vehicle equipped with air over hydraulic brakes, a Z restriction (NOT FULL AIR BRAKE EQUIPPED CMV) must be placed on the CDL. Air over hydraulic brakes includes any braking system operating partially on the air brake and partially on the hydraulic brake principle.

In accordance with 49 CFR 383.7(a)(2)(v) and (b)(6), an application for a CLP or a CDL shall not be accepted unless the applicant presents acceptable proofs of United States citizenship or lawful permanent residency, as prescribed by the commissioner.

Section 3.7(a)(5)(iii) currently provides that the motorcycle road test

shall be waived if the person is the holder of a New York State license and has successfully completed a course given by the Motorcycle Safety Foundation (MSF). In light of VTL section 410-a, the road test should also be waived if the holder of the NYS license passes a course that is comparable to that given by MSF.

Upon adoption, the regulation will take effect on June 4, 2015, except that section 3.6(a) shall take effect on July 8, 2015. In addition, the requirements regarding restrictions and endorsements shall apply to original and renewal licenses issued on or after June 4, 2015.

This proposed rulemaking is being submitted as a consensus rule because it is necessary to conform to federal mandates, and it also reflects current policies and procedures.

Job Impact Statement

A Job Impact Statement is not submitted with this proposed rule because it creates no adverse impact on job development or job opportunities.

Power Authority of the State of New York

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Rates for the Sale of Power and Energy

I.D. No. PAS-11-15-00016-P

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

Proposed Action: Amend the current Net Metering Provisions of the Authority's Service Tariff Nos. 100 and 200 applicable to its New York City and Westchester County Governmental Customers, respectively.

Statutory authority: Public Authorities Law, sections 1005, 3rd undesignated paragraph and 1005(6)

Subject: Rates for the Sale of Power and Energy

Purpose: To improve the net metering services currently offered by the Authority to its New York City and Westchester Customers.

Substance of proposed rule: Pursuant to the State Administrative Procedure Act, the Power Authority of the State of New York (the "Authority") proposes to amend the Net Metering Provisions of Service Tariff No. 100 applicable to its New York City Governmental Customers and Service Tariff No. 200 applicable to its Westchester County Governmental Customers.

The Authority proposes to revise the current Net Metering Provisions of the Service Tariffs in order to improve the existing net metering services currently offered to these Customers.

Written comments on the proposed amendment will be accepted through May 2, 2015 at the address below. For further information, contact:

POWER AUTHORITY OF THE STATE OF NEW YORK

Karen Delince, Corporate Secretary

123 Main Street, 11-P

White Plains, New York 10601

(914) 390-8085

(914) 390-8040 (fax)

secretarys.office@nypa.gov

Text of proposed rule and any required statements and analyses may be obtained from: Karen Delince, Power Authority of the State of New York, 123 Main Street, 11-P, White Plains, NY 10601, (914) 390-8085, email: secretarys.office@nypa.gov

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

Public comment will be received until: 45 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.

Public Service Commission

NOTICE OF ADOPTION

Approval of the Transfer of Water Supply Assets

I.D. No. PSC-12-14-00007-A

Filing Date: 2015-02-27

Effective Date: 2015-02-27

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

Action taken: On 2/26/15, the PSC adopted an order approving the transfer of the Yellow Barn Water Company, Inc.'s water supply assets to the Town of Dryden.

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

Subject: Approval of the transfer of water supply assets.

Purpose: To approve the transfer of water supply assets.

Substance of final rule: The Commission, on February 26, 2015, adopted an order approving the transfer of the Yellow Barn Water Company, Inc.'s water supply assets to the Town of Dryden, 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: Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@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-W-0080SA1)

NOTICE OF ADOPTION

Adoption of a Framework to Drive a Market-Based, Efficient, Clean, Reliable and Consumer-Oriented Industry

I.D. No. PSC-36-14-00008-A

Filing Date: 2015-02-26

Effective Date: 2015-02-26

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

Action taken: On 2/26/15, the PSC adopted an order establishing a regulatory policy framework and implementation plan in the Reforming the Energy Vision proceeding.

Statutory authority: Public Service Law, sections 4(1) and 66(1)

Subject: Adoption of a framework to drive a market-based, efficient, clean, reliable and consumer-oriented industry.

Purpose: To transform regulation of the electric industry by integrating distributed resources in the planning and operation of the grid.

Substance of final rule: The Commission, on February 26, 2015, adopted an order establishing a regulatory policy framework in the Reforming the Energy Vision proceeding to develop markets for distributed energy resources in order to empower customers, stimulate innovation, leverage customer contributions, improve efficiency, enhance reliability and resiliency, reduce carbon emissions and promote fuel and resource diversity. Pursuant to this Order, electric utilities will expand their responsibility to include Distributed System Platform functionality and thereby enable a market for new energy products and services, 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: Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@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-M-0101SA8)

NOTICE OF ADOPTION**Approval of the Minor Rate Filing of Dover Plains to Increase Its Annual Revenue by \$18,356 or 17.8%****I.D. No.** PSC-38-14-00019-A**Filing Date:** 2015-02-26**Effective Date:** 2015-02-26

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

Action taken: On 2/26/15, the PSC adopted an order approving the minor rate filing of the Dover Plains Water Company (Dover Plains) to increase its annual revenue by \$18,356 or 17.8%.

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

Subject: Approval of the minor rate filing of Dover Plains to increase its annual revenue by \$18,356 or 17.8%.

Purpose: To approve the minor rate filing of Dover Plains to increase its annual revenue by \$18,356 or 17.8%.

Substance of final rule: The Commission, on February 26, 2015, adopted an order approving the minor rate filing of the Dover Plains Water Company to increase its annual operating revenues by \$18,356 or 17.8%, as set forth in its new tariff schedule, P.S.C. No. 5 - Water, effective March 1, 2015, 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: Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@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-W-0378SA1)

NOTICE OF ADOPTION**Allowing the Modifications to the Electronic Data Interchange Standards****I.D. No.** PSC-46-14-00012-A**Filing Date:** 2015-03-02**Effective Date:** 2015-03-02

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

Action taken: On 2/26/15, the PSC adopted an order approving the modifications to the Electronic Data Interchange (EDI) Standards proposed in the EDI Working Group's report.

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

Subject: Allowing the modifications to the Electronic Data Interchange Standards.

Purpose: To allow the modifications to the Electronic Data Interchange Standards.

Substance of final rule: The Commission, on February 26, 2015, adopted an order approving the modifications to the Electronic Data Interchange (EDI) Standards proposed in the EDI Working Group's report filed on October 23, 2014, 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: Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@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.

(98-M-0667SA60)

NOTICE OF ADOPTION**Adoption of the Installed Reserve Margin of 17.0%, Established by the NYSRC****I.D. No.** PSC-52-14-00020-A**Filing Date:** 2015-03-02**Effective Date:** 2015-03-02

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

Action taken: On 2/26/15, the PSC adopted an Installed Reserve Margin established by the New York State Reliability Council (NYSRC) of 17.0%, for the New York Control Area, for the upcoming Capability Year beginning May 1, 2015, and ending April 30, 2016.

Statutory authority: Public Service Law, sections 4(1), 5(2), 65(1), 66(1), (2), (4) and (5)

Subject: Adoption of the Installed Reserve Margin of 17.0%, established by the NYSRC.

Purpose: To adopt the Installed Reserve Margin of 17.0%, established by the NYSRC.

Substance of final rule: The Commission, on February 26, 2015, adopted an Installed Reserve Margin established by the New York State Reliability Council (NYSRC) of 17.0%, for the New York Control Area, for the upcoming Capability Year beginning May 1, 2015, and ending April 30, 2016, 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: Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@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.

(07-E-0088SA9)

NOTICE OF ADOPTION**Approval of the Pilot Community Choice Aggregation Program****I.D. No.** PSC-01-15-00020-A**Filing Date:** 2015-02-26**Effective Date:** 2015-02-26

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

Action taken: On 2/26/15, the PSC adopted an order approving a petition by Sustainable Westchester to implement a Pilot Community Choice Aggregation Program within the County of Westchester.

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

Subject: Approval of the Pilot Community Choice Aggregation Program.

Purpose: To approve the Pilot Community Choice Aggregation Program.

Substance of final rule: The Commission, on February 26, 2015, adopted an order approving a petition by Sustainable Westchester to implement a Pilot Community Choice Aggregation Program within the County of Westchester, 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: Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@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-M-0564SA1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Utility Gas Energy Efficiency Programs, Targets, Budgets and Administration

I.D. No. PSC-11-15-00021-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 authorizing utility—administered gas energy efficiency programs for implementation beginning in 2016.

Statutory authority: Public Service Law, sections 4(1), 5(2) and 66(1)

Subject: Utility gas energy efficiency programs, targets, budgets and administration.

Purpose: To encourage the conservation of natural gas.

Substance of proposed rule: The Public Service Commission is considering whether to adopt, modify, or reject, in whole or in part, potential modifications to the provision of utility-administered gas energy efficiency programs for implementation beginning in 2016 for Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), The Brooklyn Union Gas Company d/b/a National Grid (KEDNY), KeySpan Gas East Corporation d/b/a National Grid (KEDLI), National Fuel Gas Distribution Corporation (NFG), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), Orange and Rockland Utilities, Inc. (O&R), and Rochester Gas and Electric Corporation (RG&E).

Among the matters being considered are:

1. The authorization of program renewal for the period beyond 2015.
2. For existing budgets and targets to be maintained for 2016, with utilities to annually propose budgets and metrics, as well as their program portfolio, on a three year rolling cycle, with approval of portfolio budgets and metrics as opposed to specific program by program approvals.
3. Designing new energy efficiency programs using market based approaches and market mechanisms that combine resource acquisition with third party activities to drive greater value for customers so that the utilities' post-2016 portfolio of energy efficiency programs will gradually evolve to align with Reforming the Energy Vision (REV) approaches and the market transformation focus of New York State Energy Research and Development Agency (NYSERDA) programs, and to achieve greater market-wide efficiency savings with less need for direct ratepayer support.
4. Utility programs to become more oriented toward demand reduction and to pursue where possible efficiency measures that produce demand reduction less expensive than total gas cost.
5. Incentivizing utilities to pursue new methods of achieving efficiency outcomes, under an approach that integrates utilities, NYSERDA, and market participants into a coherent strategy to increase penetration of efficient technologies, such that utility outcomes will not be limited to (Dth) savings directly attributable to utility rebates, but rather will be measured with reference to the overall success of the strategy.
6. Encouraging utilities to engage and leverage the efforts of third party providers, community organizations, local governments, and employers to increase the reach of programs.
7. Encouraging utilities to develop more innovative approaches to efficiency programs which may include rebates, but with enhanced value either through targeting to specific system needs, coordination with a larger market transformation plan, or deployment of technology, tools and information that not only achieve energy efficiency but can also facilitate customer load management.
8. Integrating efficiency programs into utilities' businesses with costs being recovered through rates like other ordinary components of the revenue requirement rather than funding programs through a surcharge.
9. Utilities, as a unified group, maintaining their own planning, evaluation, Technical Resource Manual, and benefit/cost analysis tools which should be uniform across the State to the extent possible.
10. While NYSERDA remains the default provider of low income programs, encouraging utilities to develop innovative programs to expand the reach of measures that include energy efficiency within low income communities, in concert with and not in competition with efforts of NYSERDA.

The Commission may adopt, reject or modify, in whole or in part, the relief 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: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: elaine.agresta@dps.ny.gov

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

Public comment will be received until: 45 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.

(07-M-0548SP81)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition for Submetering of Electricity

I.D. No. PSC-11-15-00022-P

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

Proposed Action: The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the petition filed by 160 Madison Ave LLC to submeter electricity at 160 Madison Avenue, New York, New York.

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

Subject: Petition for submetering of electricity.

Purpose: To consider the request of 160 Madison Ave LLC to submeter electricity at 160 Madison Avenue, New York, New York.

Substance of proposed rule: The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the petition filed by 160 Madison Ave LLC to submeter electricity at 160 Madison Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., and to take other actions necessary to address the petition.

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: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: Elaine.Agresta@dps.ny.gov

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

Public comment will be received until: 45 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.

(15-E-0078SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition for Submetering of Electricity

I.D. No. PSC-11-15-00023-P

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

Proposed Action: The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the petition filed by Renaissance Corporation of Albany to submeter electricity at 100 Union Drive, Albany, New York.

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

Subject: Petition for submetering of electricity.

Purpose: To consider the request of Renaissance Corporation of Albany to submeter electricity at 100 Union Drive, Albany, New York.

Substance of proposed rule: The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the petition filed by Renaissance Corporation of Albany to submeter electricity at 100 Union

Drive, Albany, New York, located in the territory of Niagara Mohawk Power Corporation, and to take other actions necessary to address the petition.

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: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: Elaine.Agresta@dps.ny.gov

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

Public comment will be received until: 45 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.

(14-E-0217SP2)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Notice of Intent to Submeter Electricity

I.D. No. PSC-11-15-00024-P

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

Proposed Action: The Public Service Commission is considering whether to grant, deny or modify, in whole or part, Island House Tenants Corps's Notice of Intent to submeter electricity at 551, 555, 575 Main Street, N.Y., NY, located in the territory of Con Edison of N.Y.

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

Subject: Notice of Intent to submeter electricity.

Purpose: To consider the request to submeter electricity at the Island House Apartments at 551, 555, 575 Main Street, N.Y., N.Y.

Substance of proposed rule: The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the Notice of Intent to submeter electricity, filed by Island House Tenants Corp. and IH Preservation Partners, LLC, at Island House Apartments located at 551, 555, 575 Main Street, New York, New York, located in the territory of Consolidated Edison Company, Inc., and to take other actions necessary to address the petition.

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: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: Elaine.Agresta@dps.ny.gov

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

Public comment will be received until: 45 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.

(15-E-0077SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

LED Street Lighting

I.D. No. PSC-11-15-00025-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 Central Hudson Gas & Electric Corporation to update Service Classification No. 8—Public Street and Highway Lighting to reflect the LED lighting additional option contained in P.S.C. No. 15 - Electricity.

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

Subject: LED Street Lighting.

Purpose: To update tariff leaves to reflect LED lighting options contained in P.S.C. No. 15 - Electricity.

Substance of proposed rule: The Public Service Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Central Hudson Gas & Electric Corporation (Central Hudson or the Company) to update Service Classification No. 8 – Public Street and Highway Lighting (SC 8) to reflect additional LED lighting options contained in P.S.C. No. 15 – Electricity. Central Hudson proposes to include an LED option under Rate A (Company owned and maintained) of SC 8 as opposed to solely offering energy only service for LED lighting under Rate C (customer owned and maintained) of the same service classification. The amendments have an effective date of July 1, 2015. The Commission may also consider other 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: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: elaine.agresta@dps.ny.gov

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

Public comment will be received until: 45 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.

(15-E-0126SP1)

Department of State

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Real Estate Brokers and Salespersons

I.D. No. DOS-11-15-00001-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 175.12, 175.20 175.24(a), 177.2, 179.1, 179.2(b) and 179.3(a) of Title 19 NYCRR.

Statutory authority: Real Property Law, section 442-k

Subject: Real estate brokers and salespersons.

Purpose: To update obsolete and outdated regulations.

Text of proposed rule: Section 175.12 of Title 19 NYCRR is amended to read as follows:

175.12 Delivering [duplicate original] copy of instrument

A real estate broker shall immediately deliver a [duplicate original] copy of any instrument to any party or parties executing the same, where such instrument has been prepared by such broker or under his supervision and where such instrument relates to the employment of the broker or to any matters pertaining to the consummation of a lease, or the purchase, sale or exchange of real property or any other type of real estate transaction in which he may participate as a broker.

Subdivision (b) of section 175.20 of Title 19 NYCRR is amended to read as follows:

(b) Every branch office shall be under the direct supervision of the broker to whom the license is issued, or a representative broker of a corporation or partnership holding such license. [A salesperson licensed as such for a period of not less than two years and who has successfully completed a course of study in real estate approved by the Secretary of State, may be permitted to operate such a branch office only under the direct supervision of the broker provided the names of such salesperson and supervising broker shall have been filed and recorded in the division of licenses of the Department of State.]

Subdivision (c) of section 175.20 of Title 19 NYCRR is repealed.

Subdivision (a) of section 175.24 of Title 19 NYCRR is amended to read as follows:

(a) [Residential property as used in this section shall not include condominiums or cooperatives but shall be limited to one, two or three family dwellings.] *Residential real property as used in this section shall mean real property used or occupied, or intended to be used or occupied, wholly or partly, as a home or residence of one or more persons improved by: (i) a one to four family dwelling or (ii) condominium or cooperative apartments but shall not refer to unimproved real property upon which such dwellings are to be constructed.*

Section 177.2 of Title 19 NYCRR is amended to read as follows:

177.2 Approved Entities

Continuing education real estate courses and offerings may be given by any college or university accredited by the Commissioner of Education of the State of New York or by a regional accrediting agency approved by said Commissioner of Education; public or private vocational schools; real estate boards; and real estate related professional societies and organizations. *Courses, including sales or technology, that increase the competency of the licensee as it relates to the real estate transaction shall be acceptable as meeting continuing education requirements subject to the restrictions set forth in paragraph (d) of this section.* No real estate course of study seeking approval may be affiliated with or controlled by a real estate broker, salesperson, firm or company or real estate franchise, or controlled by a subsidiary of any real estate broker or real estate franchise. The following types of instruction shall not be acceptable as meeting continuing education requirements:

(a) General training or education to prepare a student for passing a real estate broker's or salespersons' examination which is not part of an approved course under Part 176 of this Title;

(b) Offerings in mechanical office and business skills, such as typing, basis computer skills training, instructional navigation of the world wide web, instructional use of generic computer software, speed reading, memory improvement, report writing, personal motivation,, salesmanship and sales psychology; [and]

(c) Sales promotion meetings [.] ; and

(d) *Subjects that are not real estate related.*

Section 179.1 of Title 19 NYCRR is amended to read as follows:

179.1 Qualifying experience

An applicant for licensure as a real estate broker must possess [one] *two* years of full-time experience as a licensed real estate salesperson under the supervision of a licensed real estate broker or the equivalent full-time experience in general real estate business for a period of at least [two] *three* years.

Subdivision (b) of section 179.2 of Title 19 NYCRR is amended to read as follows:

(b) [1700] *3500* points shall equate to [a] *two* years of full-time experience.

Subdivision (a) of section 179.3 of Title 19 NYCRR is amended to read as follows:

(a) Experience points shall be credited an applicant in accordance with the following schedule:

REAL ESTATE BROKER POINT SYSTEM FOR LICENSED SALESPERSON ACTIVITY ONLY

Category	Point Value
RESIDENTIAL SALES:	
1. Single Family, condo, co-op unit, multi-family (2 to 8-unit), farm (with residence, under 100 acres)	250
2. Exclusive listings	10
3. Open listings	1
4. Binders effected	25
5. Co-op unit transaction approved by seller and buyer that fails to win Board of Directors approval	100
RESIDENTIAL RENTALS:	
6. Rentals or subleases effected	25
7. Exclusive Listings	5
8. Open Listings	1
9. Property Management	
- Lease renewal	2
- Rent collections per tenant/per year	1
COMMERCIAL SALES:	
10. Taxpayer/Storefront	400
11. Office Building	400

12. Apartment Building (9 units or more)	400
13. Shopping Center	400
14. Factory/Industrial warehouse	400
15. Hotel/Motel	400
16. Transient garage/parking lot	400
17. Multi-unit commercial condominium	400
18. Urban commercial development site	400
19. Alternative sale type transaction	400
20. Single-tenant commercial condo	250
21. Listings	10

COMMERCIAL LEASING:

22. New Lease-aggregate rental \$1 to \$200,000	150
23. New Lease-aggregate rental \$200,000 to \$1 million	250
24. New Lease-aggregate rental over \$1 million	400
25. Renewal-aggregate renewal \$1 to \$200,000	75
26. Renewal-aggregate rental \$200,000 to \$1 million	125
27. Renewal-aggregate rental over \$1 million	200
28. Listings	10

COMMERCIAL FINANCING:

(includes residential properties of more than four units):

29. \$1 to \$500,000	200
30. \$500,000 to \$5,000,000	300
31. Over \$5,000,000	400

MISCELLANEOUS:

32. Sale vacant lots, land (under 100 acres)	50
33. Sale vacant land (more than 100 acres)	150
34. Other must be fully explained. —	

TOTAL POINTS NEEDED: [1750] *3500*

Text of proposed rule and any required statements and analyses may be obtained from: David A. Mossberg, NYS Dept. of State, 123 William Street, 20th FL., New York, NY 10038, (212) 417-2063, email: david.mossberg@dos.ny.gov

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

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

Consensus Rule Making Determination

It is unlikely that anybody will object to the proposed rule because it merely seeks to repeal obsolete regulations, conform existing regulations with non-discretionary statutory provisions and is otherwise non-controversial.

The rule proposes to amend 19 NYCRR 175.12, which currently requires licensees to provide duplicate originals of certain instruments signed by a party to a real estate transaction. Technology has advanced since the regulation was promulgated and licensees now utilize photocopies for reproducing transaction documents, as opposed to carbon paper. If adopted, the rule will maintain the regulatory intent that parties be copied on relevant documents, while eliminating the obsolete requirement that this copy be a duplicate original.

The rule also proposes to amend 19 NYCRR 175.20(b) and repeal 19 NYCRR 175.20(c). The regulation currently permits real estate salespersons to manage brokerage branch offices. Article 12-A of the Real Property Law has been amended to restrict management of branch offices to a 'branch office manager.' Pursuant to this statutory amendment, only associate real estate brokers may manage branch offices. Accordingly, 19 NYCRR 175.20(b) and (c) are obsolete and must be amended to conform to a non-discretionary statutory provision.

19 NYCRR 175.24(a) must also be amended to comport the regulation with a statutory amendment. The regulation currently defines 'residential property' as one, two or three family dwellings and expressly excludes condominium and cooperative apartments. Article 12-A of the Real Property Law has been amended to include condominium and cooperative apartments in the definition of 'residential property.' As such, 19 NYCRR 175.24(a) must be similarly amended.

19 NYCRR 177.2 provides guidance to schools and other providers on

the types of courses which will and will not be approved by the Department of State for continuing education credit. As the market and technology have evolved, licensees are increasingly relying on technology to assist with marketing and real estate transactions. The proposed revision to 19 NYCRR 177.2 will permit licensees to receive credit for continuing education classes, such as instruction in relevant technology, provided that the subjects are related to real estate.

Article 12-A of the Real Property Law has been amended to increase the qualifying experience required for licensure as a real estate broker or salesperson. Several regulations refer to the old experience requirements, which have been rendered obsolete by reason of the amendment to Article 12-A of the Real Property Law. 19 NYCRR sections 179.1, 179.2(b) and 179.3(a) must be amended to reflect current experience requirements.

Job Impact Statement

The Department of State has concluded that the proposed rule making will not adversely impact jobs and employment opportunities for real estate licensees. The proposed rule making merely repeals obsolete provisions, conforms existing regulations to non-discretionary statutory provisions and makes other amendments which are non-controversial, such as increasing topics permitted for continuing education and permitting the retention of photocopies of certain transaction documents rather than duplicate originals.

Office of Temporary and Disability Assistance

NOTICE OF ADOPTION

“Food Stamp Program” Renamed “Supplemental Nutrition Assistance Program” (SNAP); Food Assistance Program (FAP) Repealed; Certain Public Assistance Employment Program Reporting Requirements Modified

I.D. No. TDA-52-14-00001-A

Filing No. 146

Filing Date: 2015-03-03

Effective Date: 2015-03-18

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

Action taken: Amendment of sections 358-1.1, 358-1.2, 358-2.27, 381.2, 651.1, 651.2; and repeal of Part 388 of Title 18 NYCRR.

Statutory authority: 7 USC, ch. 51 and sections 2011 and 2013; Social Services Law, sections 20, 34, 95 and art. 5, title 9-B; L. 2003, ch. 360; L. 2005, ch. 57, part C; L. 2012, ch. 41.

Subject: “Food Stamp Program” renamed “Supplemental Nutrition Assistance Program” (SNAP); Food Assistance Program (FAP) repealed; certain public assistance employment program reporting requirements modified.

Purpose: To render subject State regulations consistent with cited statutory authority and chapter 360 of the Laws of 2003, part C of chapter 57 of the Laws of 2005, and chapter 41 of the Laws of 2012.

Text or summary was published in the December 31, 2014 issue of the Register, I.D. No. TDA-52-14-00001-P.

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

Text of rule and any required statements and analyses may be obtained from: Richard P. Rhodes, Jr., New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, 16C, Albany, NY 12243-0001, (518) 486-7503, email: richard.rhodesjr@otda.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 2020, 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.

Department of Transportation

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Use of Rest Areas (Section 156.3) and Safe Operation of Commercial Motor Vehicles (Section 820.14)

I.D. No. TRN-11-15-00014-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 156.3(c) and 820.14 of Title 17 NYCRR.

Statutory authority: Transportation Law, section 14(18); Vehicle and Traffic Law, section 1626

Subject: Use of rest areas (section 156.3) and safe operation of commercial motor vehicles (section 820.14).

Purpose: To update applicable regulations in 17 NYCRR 156.3(c) and 820.14.

Text of proposed rule: 17 NYCRR 156.3(c) is amended as follows:

(c) Parking of vehicles for longer than three hours during the hours of darkness is not permitted in any rest or parking area or scenic overlook; provided, however, that a commercial motor vehicle, as defined in section 820.1 [819.1] of this Title [or a motor bus as defined in section 723.1(f)] of this Title, may, except as provided otherwise by the Department of Transportation [Transportation] by the posting of signs, remain motionless at such an area for up to *ten* [eight] hours [during the hours of darkness] if the commercial vehicle driver is present and is required to use this period as off duty or sleeper berth time to allow rest in accordance with Federal or State motor carrier safety hours of service regulations.

17 NYCRR 820.14 is amended to read as follows:

Section 820.14 [13]. Incorporation by reference.

The provisions of the Code of Federal Regulations which have been incorporated by reference in this Part have been filed in the Office of the Secretary of State of the State of New York, the publication so filed being the booklets entitled: Title 49 Code of Federal Regulations Parts 100 to 185, Parts 186 to 199 and Parts 200 to 299 and Parts 300 to 399, revised as of October 1, 2013, published by the Office of the Federal Register, National Archives and Records Administration, as a special edition of the Federal Register. The regulations incorporated by reference may be examined at the Office of the Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001, at the law libraries of the New York State Supreme Court, the Legislative Library, the New York State Department of Transportation, Office of Counsel or Motor Carrier Compliance Bureau, 50 Wolf Road, Albany, NY 12232. They may also be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. Copies of the Code of Federal Regulations are also available at many public libraries and bar association libraries.

Text of proposed rule and any required statements and analyses may be obtained from: David E. Winans, Associate Counsel, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, NY 12232, (518) 457-2411, email: david.winans@dot.ny.gov

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

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

Consensus Rule Making Determination

NYSDOT has determined that no person is likely to object to the amendment of 17 NYCRR 156.3(c) and the renumbering of 17 NYCRR 820.14 as herein proposed, the purposes of the amendments being non-controversial and not substantive changes to NYSDOT policy.

Job Impact Statement

1. Nature of impact: The proposed rule changes are for the purpose of updating the Department's regulations related to use of rest / parking areas and scenic overlooks in 17 NYCRR 156.3(c). The amendment to 17 NYCRR 820.14 is a renumbering to 17 NYCRR 820.13; no changes to the content of section 820.14 are being proposed. As such, the rule changes are not expected to have an impact on jobs.

2. Categories and numbers affected: The period of authorized use of rest / parking areas and scenic overlooks by commercial motor vehicle operators will increase from 8 hours to 10 hours under the proposed amendment to 17 NYCRR 156.3(c). The CFR regulations currently

incorporated by reference in 17 NYCRR 820.14 will be unchanged after the renumbering to 17 NYCRR 820.13.

3. Regions of adverse impact: No adverse impact on jobs in any particular region or regions is anticipated.

4. Minimizing adverse impact: The purpose of the subject regulations is the advancement of public safety; consequently, there are no adverse impacts expected.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Safe Operation of Commercial Motor Vehicles by Motor Carriers and Drivers

I.D. No. TRN-11-15-00015-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 repeal sections 820.0, 820.1, 820.2, 820.3, 820.4, 820.5, 820.6, 820.7, 820.8, 820.9, 820.10, 820.11, 820.12 and 820.13; add new sections 820.0, 820.1, 820.2, 820.3, 820.4, 820.5, 820.6, 820.7, 820.8, 820.9, 820.10, 820.11 and 820.12 to Title 17 NYCRR.

Statutory authority: Transportation Law, sections 14(18), 14-f(1), 138, 140(2) and art. 9-A; Vehicle and Traffic Law, sections 509-x, 509-y and art. 19-B

Subject: Safe operation of commercial motor vehicles by motor carriers and drivers.

Purpose: To update applicable regulations in 17 NYCRR Part 820, added 12/12/2004.

Substance of proposed rule (Full text is posted at the following State website: <https://www.dot.ny.gov/divisions/operating/osss/truck/regulations>): 17 NYCRR Part 820 contains requirements applicable to commercial motor carriers and drivers operating in New York State. The regulations provide notice of federal motor carrier regulations incorporated by reference. The incorporated federal regulations are 49 CFR Part 390 relating to general applicability and definitions (section 820.1), 49 CFR Parts 382 and 383 relating to license standards and drug/alcohol testing (section 820.2), 49 CFR Part 391 relating to driver qualifications (section 820.3), 49 CFR Part 392 relating to operation of commercial motor vehicles (section 820.4), 49 CFR Part 393 relating to parts and accessories necessary for safe operation (section 820.5), 49 CFR Part 395 relating to hours of service for drivers of commercial motor vehicles (section 820.6), 49 CFR Part 396 relating to repair and maintenance of commercial motor vehicles (section 820.7), and various sections and parts of 49 CFR (see text at URL <https://www.dot.ny.gov/divisions/operating/osss/truck/regulations> for full listing) relating to transportation of hazardous materials (section 820.8).

Existing regulations on farm plate vehicle safety requirements (section 820.9) are repealed. The regulation on the investigation of motor carrier files (formerly section 820.10 and renumbered to section 820.9) is amended to add cross-references to New York State Vehicle & Traffic Law Article 19-A and Transportation Law Article 9-B. The regulation on exemptions (formerly section 820.12 and renumbered to section 820.11) is amended to reflect amendments to Transportation Law section 214. The regulation on the inspection of motor vehicles in operation (formerly section 820.13 and renumbered to section 820.12) is amended to reflect a generic reference to forms that will be used. The regulation on incorporation by reference (formerly section 820.14 and renumbered to section 820.13) is amended to reflect the new section number.

The repeal of section 820.9 and other references to vehicles that are exempt from the regulations were necessitated by amendments to Transportation Law section 214 with which the amended regulations are to be made consistent.

Text of proposed rule and any required statements and analyses may be obtained from: David E. Winans, Associate Counsel, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, NY 12232, (518) 457-2411, email: david.winans@dot.ny.gov

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

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

Consensus Rule Making Determination

The New York State Department of Transportation (NYSDOT) engages in commercial motor vehicle enforcement activities under the Motor Carrier Safety Assistance Program (MCSAP). MCSAP provides federal financial assistance to states in order to reduce the number and severity of accidents and hazardous materials incidents involving com-

mercial motor vehicles. The FMCSA has adopted standards for commercial motor vehicles and drivers that apply to any vehicle being operated in interstate commerce. These regulations, which appear in Title 49 of the Code of Federal Regulations (CFR), have been incorporated by reference into the NYSDOT regulations in Title 17 NYCRR.

Some vehicles, and some vehicles being operated under certain circumstances, are exempt from motor carrier regulations under both federal regulations and under Transportation Law Section 214. The motor carrier regulations in Part 820 need to be updated to reflect the exemptions and the updated applicability.

NYSDOT has determined that no person is likely to object to the amendment of 17 NYCRR parts 820 as herein proposed, as the purpose of the rulemaking is to bring the Part into compliance with the law, as amended, and to update addresses of state agencies. This rulemaking does not represent a change in NYSDOT policy or practice.

Job Impact Statement

1. Nature of impact: The proposed rule changes are being advanced for the purpose of updating the Department's regulations related to safe operation of commercial motor vehicles. Most of the specific provisions are contained in the Code of Federal Regulations (CFR), several parts of which are incorporated by reference. The rule changes are not expected to have an impact on jobs, because the associated New York State Department of Transportation (NYSDOT) enforcement activity will be consistent with past practice.

2. Categories and numbers affected: NYSDOT participates in motor carrier enforcement with police agencies, and on its own initiative, performs inspections of vehicles and drivers and motor carrier compliance reviews. These reviews and inspections are performed using the standards that are found in the CFR regulations historically incorporated by reference in 17 NYCRR. Neither the frequency of inspections nor the basis for NYSDOT enforcement action is expected to change in any way.

3. Regions of adverse impact: Inspections and reviews are conducted pursuant to Department policy and there is no variance in the methodology across regions. No adverse impact on jobs in any particular region or regions is anticipated.

4. Minimizing adverse impact: The purpose of performing motor carrier enforcement activities is the advancement of public safety through verification of compliance with state law and regulation pertaining to motor carrier safety; consequently, there are no adverse impacts.

HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

Agency I.D. No.	Subject Matter	Location—Date—Time
People with Developmental Disabilities, Office for		
PDD-10-15-00005-P	Consolidated fiscal report penalty amendments	Office for People with Developmental Disabilities, 44 Holland Ave., 3rd Fl., Counsel's Office Conference Rm., Albany, NY—April 27 and 28, 2015, 10:30 a.m.
Public Service Commission		
PSC-04-15-00012-P	Disposition of tax refunds and other related matters	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—April 8, 2015, 10:30 a.m. (Evidentiary Hearing)* *On occasion there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 14-G-0503.
PSC-07-15-00005-P	Major electric rate increase filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—May 4, 2015 and continuing daily as needed, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Cases 14-E-0493 and 14-G-0494.
PSC-07-15-00007-P	Major gas rate increase filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—May 4, 2015 and continuing daily as needed, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Cases 14-E-0493 and 14-G-0494.
PSC-09-15-00003-P	Recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—April 20, 2015 and continuing daily as needed, 10:00 a.m.* *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 14-E-0270.
State, Department of		
DOS-04-15-00004-EP	Issuance of an order to remedy a violation of the Uniform Code	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 20, 2015, 9:00 a.m.
DOS-05-15-00007-EP	Addition of provisions relating to “sparkling devices” to the State Uniform Fire Prevention and Building Code	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 24, 2015, 9:00 a.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals listed

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

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

ADIRONDACK PARK AGENCY

APA-05-15-00006-P	 03/04/16	Emergency projects	The purpose of the proposed rule is to define when jurisdictional land use and development constitutes an emergency project
-------------------	----------------	--------------------	---

AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-05-15-00002-P	 02/04/16	Incorporation by reference of the 2013 edition of the Grade A Pasteurized Milk Ordinance ("PMO")	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2013 edition of the PMO
-------------------	----------------	--	---

BATTERY PARK CITY AUTHORITY

BPA-11-15-00018-P	 03/17/16	Proposed action is the amendment of the rules and regulations of Battery Park City parks	To remain consistent with the rules of other parks in New York City and to incorporate activities previously not addressed
-------------------	----------------	--	--

CABLE TELEVISION, COMMISSION ON

*CTV-23-94-00009-P	 exempt	Rates for basic service and equipment of Adelphia Communications - Aurora system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00010-P	 exempt	Rates for basic service and equipment of Adelphia Communications - Chautauqua system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00011-P	 exempt	Rates for basic service and equipment of Adelphia Communications - Grand Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00012-P	 exempt	Rates for basic service and equipment of Adelphia Communications - Riverview system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00030-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island/V-Cable/Shelter Island system	To determine whether the company's rates for basic service and equipment are justified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CABLE TELEVISION, COMMISSION ON			
*CTV-23-94-00035-P	 exempt	Rates for basic service and equipment of C-TEC Corp. - C-TEC Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00013-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island - Riverhead system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00026-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00034-P	 exempt	Rates for basic service and equipment of Cablevision System Corp. - Long Island/V-Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00037-P	 exempt	Rates for basic service and equipment of Adelphia Communications - International system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00042-P	 exempt	Rates for basic service and equipment of Adelphia Communications/Resort system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00043-P	 exempt	Rates for basic service and equipment of Adelphia Communications - Hoosick system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00051-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island/Great Neck system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00015-P	 exempt	Rates for basic service and equipment of Selectavision of Cazenovia - Cazenovia system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00021-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - A-R Cable Services-NY, Inc. Lynbrook system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00023-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Dutchess system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00026-P	 exempt	Rates for basic service and equipment of Adelphia Communications - Harbor Vue system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00033-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp. - East Hampton system	To determine whether the company's rates for basic service and equipment are justified
*CTV-27-94-00029-P	 exempt	Rates for basic service and equipment of Cablevision Systems Corp.-Huntington system	To determine whether the company's rates for basic service and equipment are justified
*CTV-27-94-00031-P	 exempt	Rates for basic service and equipment of Adelphia Communications-Niagara system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00017-P	 exempt	Rates for basic service and equipment of Time Warner - ATC - ACC Dryden system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00018-P	 exempt	Rates for basic service and equipment of Adelphia Communications-Aurora, Chautauqua, Grand Island, Harbor Vue, Hoosick, International, Niagara, Resort and River Valley systems	To determine whether the company's rates for basic service and equipment are justified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CABLE TELEVISION, COMMISSION ON			
*CTV-39-94-00019-P	 exempt	Rates for basic service and equipment of C-Tec Cable Corp.-C-Tec Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00023-P	 exempt	Rates for basic service and equipment of United Video Cablevision of New York-Community Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00033-P	 exempt	Rates for basic service and equipment of Simmons Communications-Simmons Cable-Salamanca system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00035-P	 exempt	Rates for basic service and equipment of TKR Cable Company-Ramapo, Rockland and Warwick systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00037-P	 exempt	Rates for basic service and equipment of U.S. Cable Corp.-Evangola, Westfield and Tri - County/Arcade systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00039-P	 exempt	Rates for basic service and equipment of Time Warner-Warner Communications/Olean system	To determine whether the company's rates for basic service and equipment are justified
*CTV-45-94-00010-P	 exempt	Rates for basic service and equipment of Cablevision Industries, Inc.-Genesee/Tri-County/Medina system	To determine whether the company's rates for basic service and equipment are justified
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-11-15-00011-P	 03/17/16	Implementation of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183)	Implementation of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183)
CIVIL SERVICE, DEPARTMENT OF			
CVS-20-14-00003-P	 05/21/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-25-14-00003-P	 06/25/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00001-P	 07/30/15	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from the non-competitive class
CVS-30-14-00002-P	 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00003-P	 07/30/15	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify positions in the non-competitive class
CVS-30-14-00004-P	 07/30/15	Jurisdictional Classification	To delete and classify positions in the exempt class and to delete and classify positions in the non-competitive class
CVS-30-14-00005-P	 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00006-P	 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00007-P	 07/30/15	Jurisdictional Classification	To delete a position from the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-30-14-00008-P	07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00009-P	07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00010-P	07/30/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-30-14-00011-P	07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00012-P	07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00013-P	07/30/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-14-00005-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00006-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00007-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00008-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00009-P	11/05/15	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-14-00010-P	11/05/15	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-14-00011-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00012-P	11/05/15	Jurisdictional Classification	To delete a heading and positions from the exempt class
CVS-44-14-00013-P	11/05/15	Jurisdictional Classification	To delete a position from and classify positions in the exempt class
CVS-44-14-00014-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00015-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00016-P	11/05/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-14-00017-P	11/05/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-44-14-00018-P	11/05/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-47-14-00002-P	11/26/15	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-47-14-00003-P	11/26/15	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-47-14-00004-P	11/26/15	Jurisdictional Classification	To classify a position in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-47-14-00005-P	11/26/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-47-14-00006-P	11/26/15	Jurisdictional Classification	To delete a subheading and positions from the exempt class
CVS-47-14-00007-P	11/26/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-15-00004-P	01/07/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-15-00005-P	01/07/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-15-00006-P	01/07/16	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-15-00007-P	01/07/16	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-15-00008-P	01/07/16	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-01-15-00009-P	01/07/16	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-15-00021-P	01/07/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-15-00022-P	01/07/16	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-01-15-00023-P	01/07/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-11-15-00002-P	03/17/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-15-00003-P	03/17/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-15-00004-P	03/17/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-11-15-00005-P	03/17/16	Jurisdictional Classification	To classify positions in the exempt class
CVS-11-15-00006-P	03/17/16	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-11-15-00007-P	03/17/16	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-11-15-00008-P	03/17/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-11-15-00009-P	03/17/16	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-11-15-00010-P	03/17/16	Jurisdictional Classification	To delete subheadings and positions from and classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-08-15-00002-P	02/25/16	Rochester Correctional Facility	To correct the address for Rochester Correctional facility
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-46-14-00001-EP	11/19/15	Empire State Musical and Theatrical Production Tax Credit Program	Establish application procedures for the Empire State Musical and Theatrical Production Tax Credit Program
EDV-03-15-00001-P	01/21/16	Empire State Post Production Tax Credit Program	Establish application procedure for the Empire State Post Production Tax Credit Program
EDUCATION DEPARTMENT			
*EDU-08-14-00020-P	02/26/15	Hearings on charges of tenured school employees	To allow, under certain circumstances, tenured teachers and principals to raise as a defense in a section 3020-a hearing that their school district failed to timely implement the Common Core in the 2012-2013 and/or 2013-2014 school years
EDU-19-14-00009-P	05/14/15	Mandatory reporting of information regarding possession, sale, use or manufacture of illegal drugs on school property/functions	To establish a mandatory reporting requirement for school personnel, sanctions for noncompliance, and protection for school personnel who report
EDU-27-14-00013-EP	07/09/15	Elementary and Secondary Education Act (ESEA) Flexibility and school and school district accountability	Conform regulations to State's ESEA Flexibility Waiver Renewal with respect to school and district removal criteria
EDU-48-14-00008-P	12/03/15	Field tests for State assessments, alternate assessments and Regents examinations	To clarify that school districts must administer field tests in the schools for which they are assigned
EDU-52-14-00012-P	12/31/15	Local high school equivalency diplomas based upon experimental programs	To extend until 6/30/17 the provision for awarding local high school equivalency diplomas based upon experimental programs
EDU-52-14-00014-EP	12/31/15	Determination of student residency	Clarify requirements on student enrollment, particularly as to procedures for unaccompanied minors and other undocumented youth
EDU-52-14-00015-EP	12/31/15	Profession of Applied Behavior Analysis	To implement Chapter 554 of the Laws of 2013 and Chapter 8 of the Laws of 2014
EDU-52-14-00028-P	12/31/15	Certification requirements for teaching assistants	To provide extensions in one year increments on the validity of a Level II teaching assistant certificate for candidates pursuing citizenship; define "school year"; and eliminate the words "without fee" in the definition of internship certificate
EDU-01-15-00011-P	01/07/16	Epinephrine auto-injectors	Prescribe standards for provision, maintenance, and administration of epinephrine auto-injectors in the event of an emergency
EDU-04-15-00007-P	01/28/16	Use of Department Facilities in the Cultural Education Center	To prescribe standards for the use of Cultural Education Center facilities
EDU-05-15-00008-P	02/04/16	Requirements for teacher certification	To provide teacher candidates with additional flexibility to use the safety net for the teacher performance assessment.(edTPA)

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-05-15-00009-P	02/04/16	Tuition Assistance Program	Establishment of standards for a student to regain good academic standing for the purposes of receiving awards under TAP
EDU-08-15-00006-EP	02/25/16	Appeals process on Regents exams passing score for English Language Learners (ELLs)	To extend ability to graduate with a Local Diploma via appeal process to qualifying English Language Learner (ELL) students who satisfy all other graduation requirements (including those who satisfy such requirements via available alternative pathways)
EDU-08-15-00007-EP	02/25/16	Teacher certification	To provide for a time extension of up to one-year for an expired initial certificate, transitional certificate and/or a conditional initial certificate to provide time for the revised Content Specialty Test (CST) results to be released by the Department
EDU-10-15-00003-P	03/10/16	Requirements for medical physics education programs and eligibility for limited permits in specialty areas of medical physics	To reflect changes in national accreditation requirements for medical physics education programs and repeal obsolete provisions
EDU-10-15-00004-P	03/10/16	Continuing education requirements for optometrists certified to use therapeutic pharmaceutical agents	To provide more flexibility in satisfying continuing education requirements by expanding the list of acceptable study methods
EDU-10-15-00011-P	03/10/16	Off-premises delivery of prescription medications by New York resident pharmacies	To require pharmacies to obtain patient consent before automatically delivering new or refilled prescriptions
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-31-14-00006-P	10/14/15	Petroleum Bulk Storage (PBS) and Used Oil Management	To harmonize existing State requirements with overlapping Federal requirements
ENV-31-14-00007-P	10/14/15	Chemical Bulk Storage	To amend existing CBS rule to be at least as stringent as EPA federal rule (40 CFR 280) and include NYS 2008 statutory changes
ENV-47-14-00001-P	11/26/15	The management of coastal sharks	Make state regulations consistent with federal rules and maintain compliance with the ASMFC Interstate FMP for Coastal Sharks
ENV-48-14-00005-P	01/27/16	Water quality standards for Class I and Class SD waters in New York City and Suffolk County	To amend New York's water quality standards for Class I and Class SD waters to meet the "swimmable" goal of the Clean Water Act
ENV-52-14-00027-P	02/09/16	The control of criteria air contaminants and toxic air contaminants from general process air pollution sources	To clearly define the federal and state requirements of the existing Part 212 rule, General Process Emission Sources
ENV-04-15-00006-P	01/28/16	Regulations governing the recreational harvest of winter flounder	Extend the recreational winter flounder fishing open season from April 1 - May 30 to March 1 - December 31
ENV-07-15-00002-EP	02/18/16	Revised closed season for the harvest and landing of lobster from Lobster Management Area 4 and repeal of mandatory V-notch rule	To implement ASMFC American Lobster Fishery Management Plan Addendum XVII and allow the lobster stock to rebuild

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-29-14-00014-P	07/23/15	Title insurance agents, affiliated relationships, and title insurance business	To implement requirements of Chapter 57 of Laws of NY 2014 re: title insurance agents and placement of title insurance business
DFS-29-14-00015-RP	07/23/15	Regulation of the conduct of virtual currency businesses	Regulate retail-facing virtual currency business activity in order to protect New York consumers and users and ensure the safety and soundness of New York licensed providers of virtual currency products and services
DFS-46-14-00013-P	11/19/15	Reports to Central Organization	To remove an outdated references to "PILR" in the title of section 62-2.2
DFS-52-14-00009-P	12/31/15	Independent Dispute Resolution for Emergency Services and Surprise Bills	To establish a dispute resolution process and standards for that process
DFS-04-15-00005-P	01/28/16	Life insurance reserves	To modernize the current regulatory scheme with respect to universal life insurance with secondary guarantee reserves
DFS-07-15-00004-P	02/18/16	Mandatory Underwriting Inspection Requirement for Private Passenger Automobiles	Revise requirements regarding the inspection of private passenger automobiles for physical damage coverage

GAMING COMMISSION, NEW YORK STATE

SGC-28-14-00006-EP	07/16/15	Implementation of rules pertaining to gaming facility request for application and gaming facility license application	To facilitate a fair and transparent process for applying for a license to operate a gaming facility
--------------------	----------	---	--

GENERAL SERVICES, OFFICE OF

GNS-36-14-00001-P	09/10/15	Procurement of New York State food products	To provide guidance to State Agencies as to how they procure food
-------------------	----------	---	---

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-28-14-00008-RP	07/16/15	Immediate Needs for Personal Care Services	To provide for meeting the immediate needs of Medicaid applicants and recipients for personal care services
HLT-28-14-00015-ERP	07/16/15	Rate Rationalization – Intermediate Care Facilities for Persons with Developmental Disabilities	To amend the new rate methodology effective July 1, 2014
HLT-28-14-00016-ERP	07/16/15	Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation	To amend the new rate methodology effective July 1, 2014
HLT-29-14-00013-P	07/23/15	Amendment of Certificate of Need (CON) Applications	To eliminate requirement for Public Health & Health Planning Council review of certain types of amendments to CON applications
HLT-31-14-00002-P	08/06/15	Outpatient Services Licensed Under the Mental Hygiene Law	Creates methodology for adjusting provider reimbursement in OPWDD, OHM & OASAS certified clinics based on annual patient visits

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-32-14-00001-P	 08/13/15	Blood Banks	Update practice standards, reflect changes and provide clarification of reg. provisions for blood banks and transfusion services
HLT-35-14-00002-P	 09/03/15	Statewide Health Information Network for New York (SHIN-NY)	To promulgate regulations, consistent with federal law and policies, that govern the Statewide Health Information Network for NY
HLT-36-14-00012-P	 09/10/15	Personal Care Services Program (PCSP) and Consumer Directed Personal Assistance Program (CDPAP)	To establish definitions, criteria and requirements associated with the provision of continuous PC and continuous CDPAP services
HLT-37-14-00003-RP	 09/17/15	Emergency Medical Services	To clarify terminology, eliminate vagueness, address legal statutes/crimes & incorp. modern professional, ethical & moral standards
HLT-39-14-00018-P	 10/01/15	Medical Records Access Review Committees (MRARCs)	To designate rather than appoint MRARCs to hear appeals from the denial of access to patient information
HLT-40-14-00016-P	 10/08/15	Inpatient Rate for Language Assistance Services	To establish hospital inpatient payment rate to reimburse hospitals for the costs of providing language interpretation services
HLT-40-14-00017-P	 10/08/15	Nursing Home (NH) Transfer and Discharge Rights	To clarify requirements governing NH transfers and discharges so that facilities will uniformly comply with federal regulations
HLT-40-14-00018-P	 10/08/15	Managed Care Organizations	To lower the contingent reserve requirement applied to the Medicaid Managed Care, Family Health Plus & HIV SNP Programs
HLT-41-14-00002-P	 10/15/15	Certificate of Need (CON) Requirements	Simplify CON review requirements for projects involving nonclinical infrastructure, equipment replacement & repair & maintenance
HLT-42-14-00001-P	 10/22/15	Audited Financial Statements for Managed Care Organizations	To extend audit and reporting standards to all managed care organizations (MCOs), including PHSPs, HIV SNPs and MLTCPs
HLT-43-14-00001-P	 10/29/15	Hospital Observation Services	To amend current observation services provisions to be in compliance with changes in Public Health Law, Section 2805-v
HLT-52-14-00013-P	 12/31/15	Medical Use of Marihuana	To comprehensively regulate the manufacture, sale and use of medical marihuana
HLT-08-15-00003-P	 02/25/16	Supplementary Reports of Certain Congenital Anomalies for Epidemiological Surveillance; Filing	To increase maximum age of reporting certain birth defects to the Congenital Malformations Registry
HLT-08-15-00005-EP	 02/25/16	Opioid Overdose Programs	Modification of the rule consistent with new statutory language and with the emergency nature of opioid overdose response
HLT-11-15-00019-P	 03/17/16	Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems	Establishes minimum water quality standards for individual onsite water supply systems.
HLT-11-15-00020-P	 03/17/16	School Immunization Requirements	Update regulations to ensure children entering grades kindergarten through 12 receive adequate number of required immunizations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HIGHER EDUCATION SERVICES CORPORATION			
ESC-52-14-00016-P	12/31/15	Default fee	To repeal section 2101.5 of Title 8 of the NYCRR as obsolete
ESC-52-14-00017-P	12/31/15	New York State Math and Science Teaching Incentive Program	To delete an outdated and incorrect reference
ESC-52-14-00018-P	12/31/15	Volunteer Recruitment Service Scholarships Program	To repeal section 2201.11 of Title 8 of the NYCRR as obsolete
ESC-01-15-00003-P	01/07/16	Adjustments to income	To delete incorrect references
LIQUOR AUTHORITY, STATE			
LQR-02-15-00002-P	03/09/16	Signage, Services and Gifts to Retailers	To enact business friendly amendments; eliminate interior sign restrictions; and increase annual dollar limits for advertising
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-02-15-00006-P	exempt	The provisions of LIPA's Tariff for adjustment to rates and changes of service classifications	To modify and add to the Tariff in order to implement revenue-neutral changes required to maintain the 3-year LIPA rate freeze
LPA-07-15-00003-P	exempt	The rates and charges set forth in LIPA's Tariff for Electric Service	To set rates and charges at the lowest level consistent with sound fiscal and operating practices and safe and adequate service
MENTAL HEALTH, OFFICE OF			
OMH-02-15-00003-P	01/14/16	Clinic Treatment Programs	Amend reimbursement structure for delivery of psychotherapy services; eliminate utilization threshold for court-mandated svcs
OMH-04-15-00002-P	01/28/16	Prevention of Influenza Transmission	Provide clarification and flexible system for documentation
OMH-10-15-00002-P	03/10/16	Patients Committed to the Custody of the Commissioner Pursuant to CPL Article 730	Conform regulatory provisions to statute with respect to the performance of competency reports
OMH-11-15-00013-P	03/17/16	Medical Assistance Rates of Payment for Residential Treatment Facilities for Children and Youth	Amend date of trend factor elimination to December 31, 2014 instead of June 30, 2015
MOTOR VEHICLES, DEPARTMENT OF			
MTV-08-15-00004-P	02/25/16	Electronic insurance identification cards	Authorize insurance companies to issue electronic insurance identification cards

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MOTOR VEHICLES, DEPARTMENT OF			
MTV-09-15-00002-P	03/03/16	Signs displayed by dealers	Gives dealers more flexibility in the display of required signage
MTV-11-15-00017-P	03/17/16	Commercial learner's permits and commercial driver's licenses	Conforms state licensing requirements to federal requirements
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
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-04-15-00015-P	01/28/16	Smoking	To clarify where smoking is prohibited at NFTA locations
PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF			
PKR-06-15-00002-P	02/11/16	Resident Curator Program	To rehabilitate vacant and unused buildings at no cost to the State by leasing the buildings to private individuals
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-02-15-00007-EP	03/08/16	Direct Care and Clinical Compensation Payments	To amend rate-setting for eligible services in order to implement increases in direct care and clinical compensation
PDD-02-15-00008-EP	03/02/16	Updates to SSI offset and SNAP benefit offset	To adjust reimbursement to affected providers for rent and food costs
PDD-10-15-00005-P	04/27/16	Consolidated Fiscal Report Penalty Amendments	To change requirements for imposing a penalty on providers that fail to meet filing deadlines for cost reports
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
PAS-01-15-00012-P	exempt	Rates for the Sale of Power and Energy	To recover the Authority's Fixed Costs
PAS-01-15-00013-P	exempt	Rates for the Sale of Power and Energy	To align rates and costs
PAS-11-15-00016-P	exempt	Rates for the Sale of Power and Energy	To improve the net metering services currently offered by the Authority to its New York City and Westchester Customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-97-00032-P	 exempt	General service by Central Hudson Gas & Electric Corporation	To limit certain special provisions
*PSC-34-97-00009-P	 exempt	Collection agency fees by Consolidated Edison Company of New York, Inc.	To pass collection agency fees on to the customer
*PSC-04-98-00015-P	 exempt	Interconnection service overcharges by Niagara Mohawk Power Corporation	To consider a complaint by Azure Mountain Power Co.
*PSC-19-98-00008-P	 exempt	Call forwarding by CPU Industries Inc./MKL Net, et al.	To rehear the petition
*PSC-02-99-00006-EP	 exempt	Intralata freeze plan by New York Telephone Company	To approve the plan
*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-50-99-00009-P	 exempt	Retail access uniform business practices by The Brooklyn Union Gas Company and KeySpan Gas East Corporation d/b/a Brooklyn Union of Long Island	To approve a joint petition requesting a waiver extension of a requirement set forth in the commission's order
*PSC-52-99-00006-P	 exempt	Wide area rate center calling	To implement number conservation measures
*PSC-12-00-00001-P	 exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-14-00-00004-EP	 exempt	NXX code in the 716 NPA by Broadview Networks	To assign an NXX code in Buffalo
*PSC-14-00-00026-P	 exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Media Log, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00027-P	 exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Pilgrim Telephone, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00029-P	 exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and CoreComm New York, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-16-00-00012-P	 exempt	Termination of local telecommunications traffic by Hyperion Communications of New York, Inc.	To determine appropriate compensation levels
*PSC-21-00-00007-P	 exempt	Initial tariff schedule by Drew Road Association	To set forth the rates, charges, rules and regulations
*PSC-31-00-00026-P	 exempt	Water service by Windover Water Works	To abandon the water system
*PSC-33-00-00010-P	 exempt	Electric rate and restructuring plan by Rochester Gas and Electric Corporation	To evaluate possible modifications
*PSC-36-00-00039-P	 exempt	Steam increase by Consolidated Edison Company of New York, Inc.	To provide for an annual increase in the first year of a proposed four-year rate plan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-37-00-00001-EP	 exempt	Interruptible gas customers	To ensure customers have an adequate supply of alternative fuel available
*PSC-39-00-00004-P	 exempt	Blockable central office codes by PaeTec Communications, Inc.	To review the commission's requirements for assignment of numbering resources
*PSC-44-00-00014-P	 exempt	Recovery of costs through adjustment mechanisms by Consolidated Edison Company of New York, Inc.	To permit the recovery of certain costs
*PSC-49-00-00007-P	 exempt	Gas sales and purchases by Corning Natural Gas Corporation	To determine whether certain gas sales and purchases were in the public interest and whether customers should bear the resulting costs
*PSC-01-01-00023-P	 exempt	Installation, maintenance and ownership of service laterals by Rochester Gas and Electric Corporation	To update and clarify the provisions
*PSC-06-01-00009-P	 exempt	Uniform system of accounts by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00001-P	 exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00002-P	 exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00003-P	 exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-15-01-00012-P	 exempt	Transfer of a controlling leasehold interest by Huntley Power LLC	To approve the transfer
*PSC-22-01-00006-P	 exempt	Con Edison's phase 4 plan for retail access by AES Energy, Inc.	To review the request for rehearing
*PSC-26-01-00012-P	 exempt	Interconnection of networks between Sprint PCS and Verizon New York Inc.	To review the terms and conditions of the negotiated agreement
*PSC-36-01-00010-P	 exempt	Competitive metering by eBidenergy.com	To clarify meter ownership rules and requirements
*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-01-02-00007-P	 exempt	Accounting and rate treatment of proceeds by Consolidated Edison Company of New York, Inc.	To consider proceeds from sale of nuclear generating facilities
*PSC-05-02-00005-P	 exempt	Uniform system of accounts by Consolidated Edison Company of New York, Inc.	To defer expenditures incurred in connection with emergency response services affected by the World Trade Center disaster
*PSC-06-02-00015-P	 exempt	Network reliability performance mechanism by Consolidated Edison Company of New York, Inc.	To earn rewards for meeting the targets of the network reliability performance mechanism
*PSC-07-02-00032-P	 exempt	Uniform business practices	To consider modification
*PSC-29-02-00014-P	 exempt	Financing by Valley Energy, Inc.	To issue a note and allocate costs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-49-02-00021-P	 exempt	Requests for lightened regulation by PSEG Power Bellport, LLC	To consider the company's request
*PSC-08-03-00009-P	 exempt	Provision of gas service to World Kitchen Incorporated	To establish terms and conditions
*PSC-09-03-00012-P	 exempt	Incremental service line installations by New York State Electric & Gas Corporation	To revise the current flat rate per foot charged
*PSC-09-03-00014-P	 exempt	Deferral accounting by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.	To defer expense items beyond the end of the year(s) in which they were incurred
*PSC-11-03-00012-P	 exempt	Economic development plan by New York State Electric & Gas Corporation	To consider the plan
*PSC-18-03-00004-P	 exempt	Lightened regulation by East Hampton Power and Light Corporation (EHPLC)	To provide for lightened regulation and grant financing approval
*PSC-22-03-00020-P	 exempt	Inter-departmental gas pricing by Consolidated Edison Company of New York, Inc.	To revise the method used in steam and steam-electric generating stations
*PSC-32-03-00020-P	 exempt	Issuance of debt and approval of surcharge by Rainbow Water Company	To approve necessary financing
*PSC-34-03-00019-P	 exempt	Issuance of securities by KeySpan East Corporation d/b/a KeySpan Energy Delivery Long Island	To obtain authorization to issue securities
*PSC-35-03-00009-P	 exempt	Interconnection agreement between Verizon New York Inc. and MCIMetro Access Transmission Services LLC	To amend the agreement
*PSC-36-03-00010-P	 exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-39-03-00013-P	 exempt	Complaint by State University of New York (SUNY) regarding a NYSEG operating agreement	To consider the complaint
*PSC-40-03-00015-P	 exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00008-P	 exempt	Lightened regulation by Sterling Power Partners, L.P.	To consider granting lightened regulation
*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-42-03-00005-P	 exempt	Interest rate by the Bath Electric, Gas, and Water Systems	To use an alternate interest rate
*PSC-43-03-00036-P	 exempt	Merchant function backout credit and transition balancing account by KeySpan Gas East Corporation	To continue the credit and account until May 31, 2005

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-03-00037-P	 exempt	Merchant function backout credit and transition balancing account by The Brooklyn Union Gas Company	To continue the credit and account until May 31, 2005
*PSC-44-03-00009-P	 exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-47-03-00024-P	 exempt	Lightened regulation and financing approval by Medford Energy LLC	To consider the requests
*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
*PSC-31-04-00023-P	 exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-04-00031-P	 exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	 exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	 exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	 exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	 exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	 exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	 exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	 exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	 exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	 exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	 exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	 exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	 exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	 exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	 exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	 exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	 exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	 exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-39-06-00018-P	 exempt	Order establishing rate plan by Central Hudson Gas & Electric Corporation and the Consumer Protection Board	To consider the petitions for rehearing
*PSC-39-06-00019-P	 exempt	Investigation of Richard M. Osborne by Corning Natural Gas Corporation	To determine the interests, plans and commitments that will be in place if he is successful in blocking the merger of Corning Gas and C&T Enterprises
*PSC-39-06-00022-P	 exempt	Uniform business practices and related matters by U.S. Energy Savings Corporation	To establish a contest period
*PSC-40-06-00005-P	 exempt	Orion Integral automatic meter reading transmitter by New York State Electric and Gas Corporation	To permit gas utilities in NYS to use the Badger Meter Incorporated Orion Integral transmitters
*PSC-42-06-00011-P	 exempt	Submetering of electricity by 225 5th LLC	To submeter electricity at 255 Fifth Ave., New York, NY
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-44-06-00014-P	 exempt	Electric power outages in Northwest Queens by Consolidated Edison Company of New York, Inc.	To review the terms and conditions of the agreement
*PSC-45-06-00007-P	 exempt	Alleged failure to provide electricity by Robert Andrews	To assess validity of allegations and appropriateness of fines
*PSC-01-07-00031-P	 exempt	Enforcement mechanisms by National Fuel Gas Distribution Corporation	To modify enforcement mechanisms
*PSC-04-07-00012-P	 exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	 exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	 exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	 exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	 exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	 exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	 exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	 exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	 exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	 exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	 exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	 exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	 exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	 exempt	Submetering of electricity rehearing	To seek reversal

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-07-00012-P	 exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	 exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	 exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	 exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	 exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	 exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	 exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	 exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	 exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	 exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	 exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	 exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	 exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-23-08-00009-P	 exempt	The transfer of certain real property with an original cost under \$100,000 in the Town of Throop	To consider the filing for the transfer of certain real property in the Town of Throop
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-08-00004-P	 exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	 exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	 exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	 exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	 exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	 exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	 exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	 exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	 exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	 exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	 exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	 exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	 exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	 exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	 exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-08-00007-P	 exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	 exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	 exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	 exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	 exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	 exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	 exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	 exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	 exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	 exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	 exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	 exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	 exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	 exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	 exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-09-00020-P	 exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	 exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	 exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	 exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	 exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	 exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	 exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	 exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	 exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	 exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	 exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	 exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	 exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	 exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-29-09-00006-P	 exempt	Petition for the submetering of electricity at a residential senior citizen facility	To consider the request of Shinda Management Corp. to submeter electricity at 107-37 166th Street, Jamaica, New York
*PSC-29-09-00011-P	 exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-30-09-00010-P	 exempt	Additional funding for interim gas energy efficiency programs currently being implemented by Niagara Mohawk	To fund the continued operation of Niagara Mohawk's interim gas energy efficiency programs through October 31, 2009
*PSC-32-09-00009-P	 exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	 exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	 exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	 exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	 exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	 exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	 exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	 exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	 exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	 exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	 exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	 exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-11-10-00011-P	 exempt	Niagara Mohawk's EEPS "Fast Track" Residential Electric HVAC Program	To encourage cost effective electric energy conservation in the State
*PSC-12-10-00015-P	 exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	 exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	 exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	 exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	 exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	 exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	 exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	 exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-25-10-00015-P	 exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2009	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2009
*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-31-10-00007-P	 exempt	Waiver of the Attachment 23 requirement in 2001 Rate Order that NMPC Board of Directors consist of "outside directors"	To consider the waiver of the requirement that a majority of NMPC Board of directors consist of "outside directors"
*PSC-31-10-00008-P	 exempt	KEDNY's Interim Low Income Energy Efficiency Program	Consideration of KEDNY's request for approval of costs related to large multifamily energy efficiency services
*PSC-31-10-00009-P	 exempt	KEDLI's Interim Low Income Energy Efficiency Program	Consideration of KEDLI's request for approval of costs related to low income large multifamily energy efficiency services
*PSC-34-10-00003-P	 exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	 exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	 exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	 exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	 exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	 exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	 exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	 exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-50-10-00005-P	 exempt	Metered gas deliveries and lost and unaccounted for gas	To allow BEGWS to recover a refund from Corning for overcharges of gas deliveries
*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-12-11-00008-P	 exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2010	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2010
*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-13-11-00007-P	 exempt	Budget allocations and use of System Benefits Charge funds to pay State Cost Recovery Fee	To encourage cost effective gas and electric energy conservation in the State
*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-16-11-00010-P	 exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in New York
*PSC-16-11-00011-P	 exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in 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-23-11-00018-P	 exempt	NYSEDA's energy efficiency program for low-income customers	To promote energy conservation in New York State

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-11-00007-P	 exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	 exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	 exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	 exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-33-11-00017-P	 exempt	Petition for the submetering of electricity	To consider the request of 56-7th Avenue LLC to submeter electricity at 56-7th Avenue, New York, New York
*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-51-11-00010-P	 exempt	The Total Resource Cost (TRC) test, used to analyze measures in the Energy Efficiency Portfolio Standard program	Petitioners request that the TRC test and/or its application to measures should be revised

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-52-11-00017-P	 exempt	Reparations and refunds	Reparations and refunds
*PSC-01-12-00007-P	 exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	 exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	 exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	 exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	 exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	 exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-17-12-00007-P	 exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00008-P	 exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00009-P	 exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-19-12-00019-P	 exempt	EEPS programs administered by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation	To modify the C&I sector by combining multiple approved C&I programs into a single C&I program for each PA
*PSC-19-12-00022-P	 exempt	Approval of a combined heat and power performance program funding plan administered by NYSERDA	Modify NYSERDA's EEPS programs budget and targets to fund the CHP program
*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-23-12-00005-P	 exempt	EEPS multifamily programs administered by Consolidated Edison Company of New York, Inc.	To redesign the multifamily electric and gas programs and modify the budgets and targets

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-35-12-00014-P	 exempt	To implement an abandonment of White Knight's water system	To approve the implementation of abandonment of White Knight's water system
*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-42-12-00007-P	 exempt	Petition for the submetering of electricity	To consider the request of 215 West 91st Street Corp. to submeter electricity at 215 West 91st Street, New York, New York
*PSC-42-12-00009-P	 exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	 exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	 exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	 exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	 exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	 exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	 exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-14-13-00005-P	 exempt	Recovery of incremental expense.	To consider petition for recovery of incremental expense.
*PSC-17-13-00008-P	 exempt	Provision of historical utility pricing information for comparison purposes for residential ESCO customers	Provision of historical utility pricing information for comparison purposes for residential ESCO customers
*PSC-17-13-00010-P	 exempt	Provision of historical pricing information for comparison purposes for residential ESCO customers	Provision of historical pricing information for comparison purposes for residential ESCO customers
*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-20-13-00008-P	 exempt	Relief of the exhausting 315 Area Code	To reinstate the relief process for the 315 area code region beyond 2015
*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-24-13-00009-P	 exempt	Repowering options for the Cayuga generating station located in Lansing, New York, and alternatives	To establish whether utility plans should include repowering options for the Cayuga generating station, or other alternatives

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-24-13-00010-P	 exempt	Repowering options for the Dunkirk generating station located in Dunkirk, New York, and alternatives	To establish whether utility plans should include repowering options for the Dunkirk generating station, or other alternatives
*PSC-25-13-00008-P	 exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	 exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00011-P	 exempt	Waiver of certain Commission requirements related to provision of customer information to credit reporting agencies.	To waive a utility's right to provide information to credit reporting agencies related to customers' payment histories.
*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-32-13-00010-P	 exempt	Permission to write off and eliminate record keeping for regulatory reserves for Pensions and Other Post Retirement Benefits	To allow write off and eliminate record keeping of Pension and Other Post Retirement Benefits Reserves
*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-37-13-00007-P	 exempt	Dissolution of Garrow Water Works Company, Inc..	To allow for the dissolution of Garrow Water Works Company, Inc.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-13-00010-P	 exempt	NY-Sun initiative within the Customer-Sited Tier of the RPS Program.	To increase the statewide adoption of customer sited photovoltaic solar generation through the NY-Sun Initiative.
*PSC-42-13-00013-P	 exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	 exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	 exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	 exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	 exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	 exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	 exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	 exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-46-13-00007-P	 exempt	Whether to permit the use of the GE/Dresser ES3 Index Assembly for use in commercial and industrial gas meter applications.	To permit gas utilities in New York State to use the GE/Dresser ES3 Index Assembly.
*PSC-47-13-00009-P	 exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	 exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	 exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	 exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	 exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	 exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-01-14-00017-P	 exempt	Residential Time-of-Use Rates	To establish residential optional time of use delivery and commodity rates
*PSC-03-14-00009-P	 exempt	disposition of tax refunds and other related matters	to determine the disposition of tax refunds and other related matters
*PSC-04-14-00005-P	 exempt	National Fuel Gas Corporation's Conservation Incentive Programs.	To modify National Fuel Gas Corporation's Non-Residential Conservation Incentive Program.
*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 HDPC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	 exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	 exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	 exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
PSC-11-14-00003-P	 exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
PSC-14-14-00016-P	 exempt	Whether to permit the use of the Leviton Series 8000 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the Leviton Series 8000 electric submeter.
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-16-14-00016-P	 exempt	Waiver of Commission regulations governing termination of service.	Consider United Water New York Inc.'s proposal to expand termination of service provisions.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-19-14-00018-P	 exempt	Uniform System of Accounts, deferral of an expense item	Authorization of a deferral for an expense item beyond the end of the year in which it was incurred
PSC-20-14-00011-P	 exempt	Petitioners request an order approving enhanced benefits under the Renewable Portfolio Standard Program.	To enable continued operation of a 51 MW biomass fueled electric generating facility in Niagara Falls, New York.
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-23-14-00012-P	 exempt	Whether to permit the use of the Elster Instromet Q.Sonic Plus Ultrasonic meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the Elster Instromet Q.Sonic Plus Ultrasonic 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-24-14-00004-P	 exempt	Approval of asset transfer.	To allow or disallow transfer of assets from Heritage Hills Water Works Corp. to Community Utilities of New York, Inc.
PSC-24-14-00005-P	 exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
PSC-25-14-00014-P	 exempt	Whether to permit the use of the SATEC Branch Feeder Monitor BFM-136 electric submeter	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC Branch Feeder Monitor BFM electric submeter
PSC-25-14-00015-P	 exempt	Surcharges related to the System Benefits Charge, Energy Efficiency Portfolio Standard, Retail Renewable Portfolio Standard	To reduce the public benefit surcharge applicable to large industrial, commercial and institutional energy consumers
PSC-26-14-00010-P	 exempt	Petitioner requests an order authorizing its participation in the next Main Tier solicitation offered under the RPS Program.	To enable continued operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York.
PSC-26-14-00012-P	 exempt	The Commission's framework for regulating utilities and methods of ratemaking will be revised.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-26-14-00013-P	 exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-14-00015-P	 exempt	Whether to order natural gas distribution companies to expand their public education programs.	To improve gas safety by ordering natural gas distribution companies to expand their public education programs.
PSC-26-14-00016-P	 exempt	The Commission's regulatory framework will be revised to create a flexible platform for new energy products and services.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-26-14-00017-P	 exempt	Existing ratemaking and rate design practices will be revised with a focus on outcomes and incentives.	To use the Commission's ratemaking authority to foster a DER-intensive system.
PSC-26-14-00018-P	 exempt	Rules regarding ownership and/or operation of the DSPPs will be created.	To best enable system-wide efficiency and market-based deployment of distributed energy resources and load management.
PSC-26-14-00019-P	 exempt	Prohibitions or restrictions regarding the DSPPs ownership of DER will be created.	To protect against abuses associated with imbalances in market power.
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-30-14-00019-P	 exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00020-P	 exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00021-P	 exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00023-P	 exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
PSC-30-14-00025-P	 exempt	Allocation of uncommitted Technology and Market Development Funds to the Combined Heat & Power Performance Program.	To consider allocation of uncommitted Technology & Market Development Funds to the Combined Heat & Power Performance Program.
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-32-14-00009-P	 exempt	Refueling options for the Dunkirk generating station located in Dunkirk, New York, and alternatives	To address the joint petition for rehearing of the Commission's Order related to refueling the Dunkirk generating station

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-32-14-00013-P	 exempt	Petition for submetering of electricity	To consider the request of 1 John Street LLC to submeter electricity at 1 John Street, Brooklyn, New York
PSC-32-14-00015-P	 exempt	Revisions to modify and clarify provisions related to electric generators taking transportation service under SC Nos. 7 and 14	To modify and clarify provisions related to electric generators taking transportation service under SC Nos. 7 and 14
PSC-32-14-00017-P	 exempt	Transfer of Franchise or stocks and Issuance of Securities	To allow or disallow the merger of United Water Resources and United Water Mid-Atlantic Inc into United Water Works
PSC-32-14-00018-P	 exempt	Modifications to provisions related to electric generators and cogeneration facilities	Revisions related to electric generators and cogeneration facilities and align KEDNY's tariff provisions with those of KEDLI
PSC-34-14-00006-P	 exempt	Authorization of long-term loan	To allow or disallow Forever Wild Water Company to enter into long-term loan agreement.
PSC-34-14-00009-P	 exempt	Whether to approve the Quadlogic S10N residential submeter.	Approval of the Quadlogic S10N Smart Meter for use in residential electric submetering is required by 16 NYCRR Parts 93 and 96.
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-35-14-00008-P	 exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$264,166 or 25%	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$264,166 or 25%
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-36-14-00010-P	 exempt	The procurement of Main Tier renewable resources will become the responsibility of the State's electric utilities.	To ensure the development of large-scale renewables in New York State to promote fuel diversity and reduce carbon emissions.
PSC-36-14-00011-P	 exempt	To defer pension settlement losses associated with retirements in the year ended March 31, 2014.	To resolve the ratemaking of the pension settlement loss.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-38-14-00018-P	 exempt	New electric utility demand response tariffs may be adopted.	To develop mature DER markets by enabling the development and use of DR as an economic system resource.
PSC-38-14-00020-P	 exempt	Various tariff revisions to the rates, charges, rules and regulations.	For approval to make various tariff revisions to P.S.C. No. 4 - Steam.
PSC-38-14-00021-P	 09/24/15	Service lines, leakage surveys, testing req'ts., MAOP, odorization, 16 NYCRR § 255.3(29); 255.723; 255.507; 255.619, 255.625.	To align State gas safety rules with federal gas safety requirements.
PSC-39-14-00012-P	 exempt	Minor electric rate filing.	For approval to increase total annual revenues by about \$300,000 or 8.1%.
PSC-39-14-00014-P	 exempt	Whether to permit the use of the SATEC EM133 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC EM133 electric submeter.
PSC-39-14-00020-P	 exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
PSC-40-14-00008-P	 exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
PSC-40-14-00009-P	 exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
PSC-40-14-00011-P	 exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
PSC-40-14-00013-P	 exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
PSC-40-14-00014-P	 exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
PSC-40-14-00015-P	 exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-41-14-00009-P	 exempt	Establishment of a Clean Energy Fund and related actions	Consideration of proposal by NYSERDA for the establishment of a Clean Energy Fund and related actions
PSC-41-14-00010-P	 exempt	Reallocation of EEPS and SBC funds	Consideration of proposal by NYSERDA for reallocation of EEPS and SBC funds
PSC-41-14-00011-P	 exempt	Establishment of annual collections caps and collection and spending mechanisms as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the establishment of annual collections caps and collection and spending mechanisms
PSC-41-14-00012-P	 exempt	Funding and management of the NY-Sun program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of the NY-Sun program
PSC-41-14-00013-P	 exempt	Funding and management of the New York Green Bank as described in the Clean Energy Fund Proposal and NY Green Bank Petition	Consideration of proposal by NYSERDA for the funding and management of the New York Green Bank
PSC-41-14-00014-P	 exempt	Funding and management of a Market Development program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Market Development program
PSC-41-14-00015-P	 exempt	Funding and management of a Technology and Business Innovation program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Technology and Business Innovation program
PSC-41-14-00016-P	 exempt	Inter-carrier telephone service quality standards and metrics	To review recommendations from the Carrier Working Group and incorporate modifications to the existing Guidelines
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-44-14-00020-P	 exempt	LDC inspection and remediation plans for plastic fusions	Whether to order LDCs to comply with their filed plans that address any safety risks associated with plastic fusions
PSC-44-14-00021-P	 exempt	Define incremental cost of gas	To define the incremental cost of gas and to streamline the Definitions and Abbreviations section
PSC-44-14-00023-P	 exempt	Petition for rehearing filed by West Valley Crystal Water Company, Inc. on October 9, 2014	Petition for rehearing filed by West Valley Crystal Water Company, Inc. on October 9, 2014
PSC-45-14-00002-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-45-14-00003-P	 exempt	Notice of Intent to Submeter electricity	To consider the request of Bedford-Stuyvesant South One LLC to submeter electricity at 27 Albany Avenue, Brooklyn, NY
PSC-45-14-00004-P	 exempt	Petition for submetering of electricity	To consider the request of C B Frontier LLC, to submeter electricity at 200 East 39th Street, New York, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-46-14-00008-P	 exempt	Funding and eligibility rules for the Green Bank program as described in the Green Bank Petition.	Consideration of proposal by NYSDERDA for the funding and eligibility rule changes for the Green Bank program.
PSC-46-14-00009-P	 exempt	Continuation of exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.	To continue the exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.
PSC-47-14-00012-P	 exempt	Consideration of the National Grid Implementation Plan and audit recommendations	To approve, modify or reject, in whole or in part, National Grid's Implementation Plan
PSC-48-14-00010-P	 exempt	Major gas rate increase filing.	To establish rates and practices for gas service.
PSC-48-14-00011-P	 exempt	Major electric rate increase filing.	To establish rates and practices for electric service.
PSC-48-14-00012-P	 exempt	Authority to update its System Improvement Charge (SIC Mechanism).	To allow or disallow New York American Water Company to update its System Improvement Charge (SIC Mechanism).
PSC-48-14-00013-P	 exempt	Petition for submetering of electricity.	To consider the request of Albee Tower 1 Owners LLC to submeter electricity at 70 Fleet Street, Brooklyn, New York.
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-49-14-00002-P	 exempt	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program
PSC-51-14-00005-P	 exempt	Petitioner requests an order modifying its existing maintenance tier contract offered under the RPS Program	To resume operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York
PSC-51-14-00006-P	 exempt	The Northeast Power Coordinating Council, Inc's A-Criteria documents and Criteria	To adopt revisions to various rules and measurements of the Northeast Power Coordinating Council, Inc.
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-52-14-00021-P	 exempt	Requirements and conditions for the net metering of customer-sited generation facilities.	To consider requirements and conditions for the net metering of customer-sited generation facilities.
PSC-52-14-00022-P	 exempt	Petition for submetering of electricity.	To consider the request of Kingsview Homes, Inc. to submeter electricity at 125 Ashland Place, Brooklyn, New York.
PSC-52-14-00023-P	 exempt	LDC inspection and remediation plans for plastic fusions.	Whether to order Con Ed and ORU to comply with their filed plans that address any safety risks associated with plastic fusions.
PSC-52-14-00024-P	 exempt	Distributed Generation (DG), Natural Gas Vehicle (NGV) and Prime-WNY programs.	To extend the DG and NGV programs to March 31, 2018 and for authorization of the Prime-WNY program.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-14-00025-P	 exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$24,000 or 48%.	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$24,000 or 48%.
PSC-52-14-00026-P	 exempt	Community Choice Aggregation.	To consider action related to Community Choice Aggregation.
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-01-15-00015-P	 exempt	NYSEG is seeking waivers from certain regulatory requirements contained in an Order issued in Case 14-G-0197 on October 6, 2014	NYSEG is seeking waivers because it cannot certify the existing propane distribution system complies with certain regulations
PSC-01-15-00016-P	 exempt	State Universal Service Fund Disbursements	To consider Port Byron Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00017-P	 exempt	Reimbursement of costs for construction under 16 NYCRR 230	To determine proper reimbursement for costs related to trenching and construction
PSC-01-15-00018-P	 exempt	State Universal Service Fund Disbursements	To consider Township Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00019-P	 exempt	Rule 50 - Reliability Support Services (RSS) Surcharge.	To make a clarifying revision to Rule 50 - Reliability Support Services (RSS) Surcharge.
PSC-02-15-00005-P	 exempt	Approving the 2014 electric emergency response plans for New York's six major electric utilities.	Approving the 2014 electric emergency response plans for New York's six major electric utilities.
PSC-03-15-00002-P	 exempt	Waiver of tariff provisions related to SC 14 Non-Core Transportation Services for Electric Generation	To determine whether a waiver is warranted
PSC-03-15-00003-P	 exempt	To allow residential customers to opt out of AMR metering for gas and make other tariff changes related to gas metering	To allow residential customers to opt out of AMR metering for gas and make other tariff changes related to gas metering
PSC-03-15-00004-P	 exempt	To allow residential customers a one time election to opt out of AMR metering and make other tariff changes related to metering	To allow residential customers a one time election to opt out of AMR metering and make other changes related to metering
PSC-03-15-00005-P	 exempt	Minor electric rate filing	For approval to increase annual revenues by about \$300,000 or 17.96%
PSC-04-15-00008-P	 exempt	Re-billing SC No. 2 customers from March 2008 through March 2014.	To determine whether re-billing SC No. 2 customers by the Companies' proposed methodology customers is appropriate.
PSC-04-15-00009-P	 exempt	To start and finish construction of distribution and service lines in certain municipalities in Clinton County by dates certain.	To require NYSEG to start and complete construction of distribution and service lines in municipalities in Clinton County.
PSC-04-15-00010-P	 exempt	To modify the retail access program under SC No. 19 - Seller Transportation Aggregation Service.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-04-15-00011-P	 exempt	To modify the retail access program under SC No. 8 - Seller Services.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
PSC-04-15-00012-P	 exempt	Disposition of tax refunds and other related matters.	To determine the disposition of tax refunds and other related matters.
PSC-04-15-00013-P	 exempt	Rider L - Direct Load Control Program (DLC) and Residential Smart Appliance Program (RSAP)	To expand the DLC program, replace failed control devices, and to expand the RSAP pilot.
PSC-04-15-00014-P	 exempt	Request for waiver of 6 NYCRR Part 501 and United Water's tariff provisions governing main extensions.	To grant, deny or modify a petition for a waiver of 6 NYCRR Part 501 and related United Water's tariff provisions.
PSC-05-15-00003-P	 exempt	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification
PSC-05-15-00004-P	 exempt	Whether to permit the use of the Eaton Power Xpert Multi-Point Meter for submeter applications	Pursuant to 16 NYCRR Parts 93 and 96, the Commission must approve the Eaton Power Xpert Multi-Point for electric submetering
PSC-05-15-00005-P	 exempt	Cost recovery surcharge and gas safety performance standards	To determine issues related to gas safety surcharge implementation
PSC-06-15-00003-P	 exempt	Petition for submetering of electricity	To consider the request of City Point Residential LLC, to submeter electricity at 366 Flatbush Avenue Ext, Brooklyn, New York
PSC-06-15-00004-P	 exempt	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program
PSC-07-15-00005-P	 exempt	Major electric rate increase filing	To establish rates and practices for electric service
PSC-07-15-00006-P	 exempt	Whether to order a remand regarding payphone rates	Whether to order a remand regarding payphone rates and award refunds
PSC-07-15-00007-P	 exempt	Major gas rate increase filing	To establish rates and practices for gas service
PSC-08-15-00008-P	 exempt	Approval of a loan, an ownership transfer, and continuation of lightened regulation.	Approval of a loan, an ownership transfer, and continuation of lightened regulation.
PSC-08-15-00009-P	 exempt	Approval of a surcharge.	To allow or disallow Emerald Green Lake Louise Marie Water Company, Inc. for a surcharge.
PSC-08-15-00010-P	 exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
PSC-08-15-00011-P	 exempt	Implementation of community net metering.	To consider implementation of community net metering.
PSC-09-15-00003-P	 exempt	The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC	The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-09-15-00004-P	 exempt	Refinancing and issuance of long-term debt securities	To authorize New York American Water Company, Inc. to refinance up to \$22,600,000 and issue up to \$45,300,000 of long-term debt
PSC-09-15-00005-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-09-15-00006-P	 exempt	Petition for submetering of electricity	To consider the request of 315 East 68th Street Corporation to submeter electricity at 315 East 68th Street, New York, N.Y.
PSC-09-15-00007-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-10-15-00006-P	 exempt	Amendment of submetering order(s) to allow Queens Fresh Meadows LLC and others to terminate electric service for failure to pay	Whether to amend Queens Fresh Meadows LLC submetering order and others to allow termination of electric service
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-10-15-00009-P	 exempt	Contingency Tariffs regarding demand response issues	To consider Contingency Tariffs regarding demand response issues
PSC-10-15-00010-P	 exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s request to retain a portion of a property tax refund
PSC-11-15-00021-P	 exempt	Utility gas energy efficiency programs, targets, budgets and administration	To encourage the conservation of natural gas
PSC-11-15-00022-P	 exempt	Petition for submetering of electricity	To consider the request of 160 Madison Ave LLC to submeter electricity at 160 Madison Avenue, New York, New York
PSC-11-15-00023-P	 exempt	Petition for submetering of electricity	To consider the request of Renaissance Corporation of Albany to submeter electricity at 100 Union Drive, Albany, New York
PSC-11-15-00024-P	 exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at the Island House Apartments at 551, 555, 575 Main Street, N.Y., N.Y.
PSC-11-15-00025-P	 exempt	LED Street Lighting	To update tariff leaves to reflect LED lighting options contained in P.S.C. No. 15 - Electricity
STATE, DEPARTMENT OF			
DOS-41-14-00001-P	 10/20/15	Minimum standards for code enforcement training	To establish minimum training standards so as to increase the level of competency and reliability of code enforcement personnel
DOS-02-15-00004-EP	 03/01/16	Use of truss type, pre-engineered wood or timber construction in residential structures	To implement the provisions of new section 382-b of the Executive Law, as added by chapter 353 of the Laws of 2014

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
DOS-04-15-00004-EP	03/19/16	Issuance of an order to remedy a violation of the Uniform Code	Fix the time for compliance with an order to remedy any condition found to exist in buildings in violation of the Uniform Code
DOS-05-15-00007-EP	03/23/16	Addition of provisions relating to "sparkling devices" to the State Uniform Fire Prevention and Building Code	To amend the Uniform Code to provide additional requirements applicable to buildings and structures where "sparkling devices" are manufactured, stored or used and add other restrictions on the use of "sparkling devices"
DOS-09-15-00001-P	03/03/16	Regulations relating to review of original applications	To clarify the Department's review procedures for new applicants seeking licensure pursuant to Art. 27 of the GBL
DOS-11-15-00001-P	03/17/16	Real estate brokers and salespersons	To update obsolete and outdated regulations
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-08-15-00012-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period April 1, 2015 through June 30, 2015
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-49-14-00001-P	12/10/15	Local Advisory Councils	Repeal the regulatory requirement that social services districts establish and maintain local advisory councils
TRANSPORTATION, DEPARTMENT OF			
TRN-11-15-00014-P	03/17/16	Use of rest areas (section 156.3) and safe operation of commercial motor vehicles (section 820.14)	To update applicable regulations in 17 NYCRR 156.3(c) and 820.14
TRN-11-15-00015-P	03/17/16	Safe operation of commercial motor vehicles by motor carriers and drivers	To update applicable regulations in 17 NYCRR Part 820, added 12/12/2004

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

A & Q Multi-Strategy Fund
677 Washington Blvd., Stanford, CT 06901
State or country in which incorporated — Delaware

AIP Long/Short Fund A
100 Front St., Suite 400, West Conshohocken, PA 19428
State or country in which incorporated — Delaware

AIP Long/Short Fund P
100 Front St., Suite 400, West Conshohocken, PA 19428
State or country in which incorporated — Delaware

Baseline Opportunities Fund, LLC
1391 Speer Blvd., Suite 800, Denver, CO 80204

Bakken Energy Fund, LP
One Fort Depuy Lane, 2nd Fl., Shawnee on Delaware, PA 18356
Partnership — Bakken Energy Fund Partners, LLC

Blue Cub Capital Partners, LP
Three Columbus Circle, 15th Fl., New York, NY 10019
Partnership — Blue Cub Capital, LLC

Bruckmann, Rosser, Sherrill & Co. IV, L.P.
126 E. 56th St., 29th Fl., New York, NY 10022
Partnership — BRS GP IV, L.P.

Canandaigue-Finger Lakes Resort, LLC
1850 Rte. 332, Canandaigue, NY 14424
State or country in which incorporated — New York

Carey Watermark Investors Incorporated
50 Rockefeller Plaza, New York, NY 10020
State or country in which incorporated — Maryland

CLSA Americas, LLC
1301 Avenue of the Americas, 15th Fl., New York, NY 10019
State or country in which incorporated — Delaware limited liability company

Covenant Apartment Fund VIII (Institutional), L.P.
4515 Harding Rd., Suite 210, Nashville, TN 37205
Partnership — Covenant Apartment Investors VIII, LLC

Doonbeg Fund, LP
850 Third Ave., 13th Fl., New York, NY 10022
Partnership — Doonbeg Capital Management, LLC

Doonbeg Fund, Ltd.
c/o State Street Cayman Trust Company Ltd., 45 Market St., Gardenia Court, Suite 3307, Camana Bay, Grand Cayman KY1-1103, Cayman Islands
State or country in which incorporated — Cayman Islands

EA Invesco, LLC
One Landmark Sq., Suite 620, Stamford, CT 06901
State or country in which incorporated — Delaware

EPL Equity Partners, L.P.
601 Lexington Ave., New York, NY 10022
Partnership — KGS Holdings GP, LLC

Evolution Special Opportunities Ltd. II SPC, Segregated Portfolio C
c/o Evolution Capital Management LLC, 2425 Olympic Blvd., Suite 120E, Santa Monica, CA 90404
State or country in which incorporated — Cayman Islands

Felix Capital Fund I LP
21A Kingly St., London, United Kingdom W1B 5QA
Partnership — Felix Management GP LP

Global Lands End LLC
118-35 Queens Blvd., 14th Fl., Forest Hills, NY 11375

Kingfisher Equity Partners II, LP
235 Montgomery St., Suite 1120, San Francisco, CA 94104
Partnership — Kingfisher Investment Management, LLC

Local Farms Fund – NY Foodshed, LLC
P.O. Box 286042, New York, NY 10128
State or country in which incorporated — New York

LP Operating, LLC - Camino Real 4 Direct Purchase Program
115 Oak Park Dr., Boerne, TX 78006
State or country in which incorporated — Texas

MimiVax, LLC
Elm and Carlton Sts., Buffalo, NY 14263

PhotoKharma, Inc.
244 Madison Ave., #UPH, New York, NY 10016
State or country in which incorporated — Delaware

Pollen Street Capital Fund II L.P.
Eight Hanover St., London, United Kingdom W1S 1YF
Partnership — PSC II GP Limited

PPE Gregg County #2, LP
1155 Kelly Johnson Blvd., Suite 480, Colorado Springs, CO 80920
Partnership — Pikes Peak Energy, LLC

Realty Capital Securities, LLC
One Beacon St., 14th Fl., Boston, MA 02108
State or country in which incorporated — Delaware

RegenMedTx, LLC
123 Heron Point, Statesville, NC 28677
State or country in which incorporated — Delaware

Royal Falcon Domestic Fund LP
c/o Royal Falcon Asset Management LLC, 265 Piermont Rd.,
Cresskill, NJ 07626
Partnership — Royal Falcon Domestic Fund LP

Royal Falcon Offshore Fund Ltd.
c/o Royal Falcon Asset Management LLC, 265 Piermont Rd.,
Cresskill, NJ 07626
State or country in which incorporated — Cayman Islands

Sensible Auto Leasing, LLC
275 Middlesex Tpke., Old Saybrook, CT 06475

SFW Capital Partners Coinvestors II, L.P.
22 Elm Place, Rye, NY 10580
Partnership — SFW Capital Partners Holdings II, L.P.

SFW Capital Partners Fund II, L.P.
22 Elm Place, Rye, NY 10580
Partnership — SFW Capital Partners Holdings II, L.P.

Shannon River Partners, LP
850 Third Ave., 13th Fl., New York, NY 10022
Partnership — Shannon River Capital Management, LLC

Shannon River Partners II, LP
850 Third Ave., 13th Fl., New York, NY 10022
Partnership — Shannon River Capital Management, LLC

Shannon River Partners, Ltd.
c/o State Street Cayman Trust Company Ltd., 45 Market St., Gardenia
Court, Suite 3307, Camana Bay, Grand Cayman KY1-1103, Cayman
Islands
State or country in which incorporated — Cayman Islands

Solexel, Inc.
1530 McCarthy Blvd., Milpitas, CA 95035
State or country in which incorporated — Delaware

Southpoint Cove II, LLC
1080 Pittsford-Victor Rd., Pittsford, NY 14534
State or country in which incorporated — New York

Thoma Bravo Special Opportunities Fund II, L.P.
300 N. LaSalle St., Suite 4350, Chicago, IL 60654
Partnership — Thoma Bravo Partners XI, L.P.

Thoma Bravo Special Opportunities Fund II-A, L.P.
300 N. LaSalle St., Suite 4350, Chicago, IL 60654
Partnership — Thoma Bravo Partners XI, L.P.

Vaultive, Inc.
470 Atlantic Ave., Boston, MA 02210
State or country in which incorporated — Delaware

Vital Matters LLC
129 Lafayette St., Apt. 2B, New York, NY 10013
State or country in which incorporated — Delaware

Workforce Partners VII LLC
11 Day St., South Norwalk, CT 06854

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency

Services

1220 Washington Ave.

State Office Bldg. Campus, Bldg. 7A

Albany, NY 12242

COUNTY GOVERNMENTS

Development, Consolidation and/or Improved Operation of Public Safety Communications to Support and Enhance Statewide Interoperable Communications for First Responders

The New York State Office of Interoperable and Emergency Communications (OIEC) seeks applications for up to \$3,500,000 from New York State County Governments for awards to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders.

Subject to State appropriation authority, a total of \$50 million in funding is available for awards to New York State county governments for the purposes noted above, as outlined in the RFA. Funding for this grant program is supported by the Statewide Public Safety Communications Account.

Applications will be accepted from February 12, 2015 through 5:00 p.m. on April 15, 2015 via e-mail to grants@dhSES.ny.gov.

For the Request for Applications (RFA) please visit the Division of Homeland Security and Emergency Services (DHSES) website at <http://www.dhSES.ny.gov/oiec/grants/> or DHSES's Grant Hotline at (866) 837-9133.

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

NOTICE OF ANNULMENT OF DISSOLUTION OF CERTAIN BUSINESS CORPORATIONS

Under the Provisions of Section 203-a of the Tax Law, As Amended The Secretary of State hereby provides notice that the following corporations, which were duly dissolved in the manner prescribed by Section 203-a of the Tax Law, have complied with the provisions of subdivision (7) of Section 203-a of the Tax Law, annulling all of the proceedings theretofore taken for the dissolution of each such corporation. The appropriate entries have been made on the records of the Department of State.

COUNTY: ALBANY

CAFFE ITALIA RESTAURANT, INC.
REINSTATE: 11/05/14
DIS BY PROC: 10/28/09

DAVE BURNETT EXCAVATING, INC.
REINSTATE: 10/02/14
DIS BY PROC: 07/27/11

COUNTY: BRONX

ENTITY NAME: ALL BRANDS FORK LIFT CORPORATION
REINSTATE: 12/16/14
DIS BY PROC: 04/25/12

ENTITY NAME: ARCHITECTURAL INNOVATIONS OF NEW YORK, INC.
REINSTATE: 10/14/14
DIS BY PROC: 10/26/11

ENTITY NAME: B RAJ SUN CORP.
REINSTATE: 10/31/14
DIS BY PROC: 07/27/11

ENTITY NAME: C.M.T. RESTAURANT EQUIPMENT AND SUPPLY CORP.
REINSTATE: 11/06/14
DIS BY PROC: 01/25/12

ENTITY NAME: DJN CONSULTING, INC.
REINSTATE: 12/16/14
DIS BY PROC: 01/27/10

ENTITY NAME: DOWNTOWN BRONX RESURGENCE CORPORATION
REINSTATE: 12/10/14
DIS BY PROC: 07/28/10

ENTITY NAME: EASY SKY COMMUNICATION INC.
REINSTATE: 12/18/14
DIS BY PROC: 10/26/11

ENTITY NAME: GCC ASSET MANAGEMENT INC.
REINSTATE: 10/29/14
DIS BY PROC: 01/26/11

ENTITY NAME: GLORYLAND REALTY HOLDINGS, INC.
REINSTATE: 11/03/14
DIS BY PROC: 07/28/10

ENTITY NAME: HOMESTAR FUNDING INC.
REINSTATE: 11/18/14
DIS BY PROC: 01/26/11

ENTITY NAME: KIT DOWN MOTORSPORT INC.
REINSTATE: 11/19/14
DIS BY PROC: 10/26/11

ENTITY NAME: LAURA LIVERY CORP.
REINSTATE: 12/19/14
DIS BY PROC: 10/27/10

ENTITY NAME: LENS LAB EXPRESS, INC.
REINSTATE: 11/13/14
DIS BY PROC: 01/26/11

ENTITY NAME: MARK PANTOJA DEALER INC
REINSTATE: 10/31/14
DIS BY PROC: 01/25/12

ENTITY NAME: MARY'S DRY CLEANERS INC.
REINSTATE: 12/05/14
DIS BY PROC: 09/27/95

ENTITY NAME: NEW BEGINNINGS BEAUTY SALON INC.
REINSTATE: 10/20/14
DIS BY PROC: 07/27/11

ENTITY NAME: NEW CENTURY ELECTRICAL CONTRACT-
ING, INC.

REINSTATE: 11/19/14
DIS BY PROC: 07/28/10

ENTITY NAME: SOLAMART INC.

REINSTATE: 11/25/14
DIS BY PROC: 01/26/11

ENTITY NAME: VERITY TAXI INC.

REINSTATE: 12/01/14
DIS BY PROC: 12/24/91

ENTITY NAME: 161 EAST MEAT CORP.

REINSTATE: 12/16/14
DIS BY PROC: 10/26/11

ENTITY NAME: 20/20 WORLDWIDE SERVICES, INC.

REINSTATE: 11/21/14
DIS BY PROC: 01/25/12

ENTITY NAME: 2937 BOSTON RD. REALTY CORP.

REINSTATE: 12/31/14
DIS BY PROC: 06/30/04

ENTITY NAME: 48 BURNSIDE FOOD CORP.

REINSTATE: 12/23/14
DIS BY PROC: 12/27/00

COUNTY: BROOME

ENTITY NAME: LANE'S WINES & SPIRITS, INC.

REINSTATE: 12/08/14
DIS BY PROC: 01/28/09

ENTITY NAME: THIRSTY'S TAVERN, INC.

REINSTATE: 10/07/14
DIS BY PROC: 01/25/12

COUNTY: CAYUGA

ENTITY NAME: PLIS FUNERAL HOME, INC.

REINSTATE: 12/31/14
DIS BY PROC: 10/28/09

COUNTY: CHAUTAUQUA

ENTITY NAME: MAY VIEW, INC.

REINSTATE: 10/30/14
DIS BY PROC: 06/26/02

ENTITY NAME: SEAMENS SPEEDWAY, INC.

REINSTATE: 12/26/14
DIS BY PROC: 06/26/02

COUNTY: CHENANGO

ENTITY NAME: TRI-COUNTY FORKLIFT SERVICE OF N.Y.,
INC.

REINSTATE: 10/30/14
DIS BY PROC: 06/27/01

COUNTY: CLINTON

ENTITY NAME: DIXIE LEE FOOD SYSTEMS (U.S.A.) INC.

REINSTATE: 10/27/14
DIS BY PROC: 01/26/11

COUNTY: DELAWARE

ENTITY NAME: BUCKINGHAM AUTO RESTORATION, INC.

REINSTATE: 12/19/14
DIS BY PROC: 09/26/79

COUNTY: DUTCHESS

ENTITY NAME: ALPHA CORPORATE TRANSPORTATION &
TAXI SERVICE INC.

REINSTATE: 12/08/14
DIS BY PROC: 01/25/12

ENTITY NAME: BKD ASSOCIATES, INC.

REINSTATE: 12/18/14
DIS BY PROC: 04/29/09

ENTITY NAME: THPRG CORP.

REINSTATE: 10/14/14
DIS BY PROC: 01/25/12

COUNTY: ERIE

ENTITY NAME: MO-GO, INC.

REINSTATE: 10/06/14
DIS BY PROC: 12/26/01

ENTITY NAME: PAYDAY PAYROLL SERVICE, INC.

REINSTATE: 12/12/14
DIS BY PROC: 01/27/10

ENTITY NAME: PS EASTON INC.

REINSTATE: 10/22/14
DIS BY PROC: 10/26/11

ENTITY NAME: THE FOUNDRY GROUP, INC.

REINSTATE: 10/22/14
DIS BY PROC: 04/27/11

COUNTY: ESSEX

ENTITY NAME: DOTY ENTERPRISES INC.

REINSTATE: 10/24/14
DIS BY PROC: 06/30/04

COUNTY: GENESEE

ENTITY NAME: THE CONIBEAR CORPORATION

REINSTATE: 11/25/14
DIS BY PROC: 04/27/11

COUNTY: JEFFERSON

ENTITY NAME: SOUTH OF THE BORDER TRADING POST,
INC.

REINSTATE: 10/29/14
DIS BY PROC: 10/27/10

COUNTY: KINGS

ENTITY NAME: A&C IMPORT EXPORT SERVICES, INC.

REINSTATE: 12/10/14
DIS BY PROC: 07/27/11

ENTITY NAME: ADELPHI REALTY ASSOCIATES LTD.

REINSTATE: 10/20/14
DIS BY PROC: 07/28/10

ENTITY NAME: AFRO CONTRACTING & DEMO., CORP.
REINSTATE: 12/30/14
DIS BY PROC: 01/27/10

ENTITY NAME: AHA ELECTRIC MOTOR CORP.
REINSTATE: 11/18/14
DIS BY PROC: 07/28/10

ENTITY NAME: ALI REALTY INC.
REINSTATE: 11/26/14
DIS BY PROC: 01/27/10

ENTITY NAME: ATOMIC WOODWORKING INC.
REINSTATE: 10/22/14
DIS BY PROC: 01/25/12

ENTITY NAME: B & F MARKET INC.
REINSTATE: 12/23/14
DIS BY PROC: 04/25/12

ENTITY NAME: BALM CAB CORP.
REINSTATE: 11/05/14
DIS BY PROC: 04/27/11

ENTITY NAME: BAMBOO LIQUORS INC.
REINSTATE: 12/19/14
DIS BY PROC: 06/30/04

ENTITY NAME: BARUCH TETRI, DDS, P.C.
REINSTATE: 10/09/14
DIS BY PROC: 10/26/11

ENTITY NAME: BEST ASSOCIATES, LIMITED
REINSTATE: 10/22/14
DIS BY PROC: 01/25/12

ENTITY NAME: CAFS MGMT. CORP.
REINSTATE: 11/13/14
DIS BY PROC: 01/25/12

ENTITY NAME: CLARISTA REALTY CORP.
REINSTATE: 12/10/14
DIS BY PROC: 01/26/11

ENTITY NAME: COMPLETE KITS INC.
REINSTATE: 10/07/14
DIS BY PROC: 04/27/11

ENTITY NAME: CREACIONES BEAUTY SALON, INC.
REINSTATE: 11/14/14
DIS BY PROC: 06/26/02

ENTITY NAME: DEALERS ELECTRIC MOTOR CORP.
REINSTATE: 11/18/14
DIS BY PROC: 01/25/12

ENTITY NAME: EAST LINCOLN HOUSING CORPORATION
REINSTATE: 10/17/14
DIS BY PROC: 09/27/95

ENTITY NAME: EAT RAW CORPORATION
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: EDEN CONSTRUCTION INC.
REINSTATE: 11/03/14
DIS BY PROC: 07/27/11

ENTITY NAME: FAMEK MANAGEMENT CORPORATION
REINSTATE: 11/19/14
DIS BY PROC: 10/26/11

ENTITY NAME: FAMILY LAUNDROMAT ON AVENUE M, CORP.
REINSTATE: 10/31/14
DIS BY PROC: 04/25/12

ENTITY NAME: HI-TOWER CONTRACTORS, INC.
REINSTATE: 11/13/14
DIS BY PROC: 04/29/09

ENTITY NAME: IDEE LAB CORPORATION
REINSTATE: 11/21/14
DIS BY PROC: 01/26/11

ENTITY NAME: JR & E CORP.
REINSTATE: 11/18/14
DIS BY PROC: 10/26/11

ENTITY NAME: JSM SERVICE INC.
REINSTATE: 10/29/14
DIS BY PROC: 10/28/09

ENTITY NAME: JVAL INDUSTRIES LTD.
REINSTATE: 12/17/14
DIS BY PROC: 10/26/11

ENTITY NAME: KIMANI CONSTRUCTION CORPORATION
REINSTATE: 10/23/14
DIS BY PROC: 01/26/11

ENTITY NAME: LAW OFFICES OF JACOB T. FOGEL, P.C.
REINSTATE: 11/05/14
DIS BY PROC: 10/26/11

ENTITY NAME: MAIPU AUTO REPAIR INC.
REINSTATE: 11/20/14
DIS BY PROC: 04/27/11

ENTITY NAME: MARTEAU CORPORATION
REINSTATE: 11/07/14
DIS BY PROC: 01/26/11

ENTITY NAME: MEGA ELECTRICAL CONTRACTING, INC.
REINSTATE: 10/31/14
DIS BY PROC: 01/25/12

ENTITY NAME: MIKE'S HOP, INC.
REINSTATE: 11/14/14
DIS BY PROC: 10/26/11

ENTITY NAME: MJG GROUP REALTY CORP.
REINSTATE: 12/26/14
DIS BY PROC: 07/27/11

ENTITY NAME: MS AFRICAN HERITAGE BEAUTY PAGEANT INC
REINSTATE: 11/17/14
DIS BY PROC: 01/26/11

ENTITY NAME: NY FIREPROOFING INC.
REINSTATE: 11/03/14
DIS BY PROC: 10/26/11

ENTITY NAME: PULI BROTHERS II CORP.
REINSTATE: 10/14/14
DIS BY PROC: 01/25/12

ENTITY NAME: SHERWANI CORPORATION
REINSTATE: 12/31/14
DIS BY PROC: 01/26/11

ENTITY NAME: SOUTHSIDE FOOD PLAZA, INC.
REINSTATE: 11/25/14
DIS BY PROC: 01/26/11

ENTITY NAME: STOCKHOLM REALTY INC.
REINSTATE: 11/18/14
DIS BY PROC: 04/27/11

ENTITY NAME: TINAMARIE, INC.
REINSTATE: 12/30/14
DIS BY PROC: 10/26/11

ENTITY NAME: TOWN4LUXURY INC.
REINSTATE: 12/26/14
DIS BY PROC: 01/25/12

ENTITY NAME: VITO'S FOREIGN CAR REPAIR, INC.
REINSTATE: 12/31/14
DIS BY PROC: 06/24/98

ENTITY NAME: W & C HOME REMODELLING CORPORATION
REINSTATE: 12/05/14
DIS BY PROC: 01/26/11

ENTITY NAME: 144 SPENCER REALTY CORP.
REINSTATE: 11/21/14
DIS BY PROC: 10/27/10

ENTITY NAME: 159 HAL MA LTD.
REINSTATE: 10/31/14
DIS BY PROC: 06/25/03

ENTITY NAME: 1787 REALTY CORP.
REINSTATE: 12/22/14
DIS BY PROC: 12/29/82

ENTITY NAME: 181 GRAHAM CORP.
REINSTATE: 11/04/14
DIS BY PROC: 07/27/11

ENTITY NAME: 228 HOLLY STREET CORP.
REINSTATE: 11/28/14
DIS BY PROC: 04/27/11

ENTITY NAME: 409-59 REALTY CORP.
REINSTATE: 10/14/14
DIS BY PROC: 04/25/12

ENTITY NAME: 440 MICHAEL E. CORP.
REINSTATE: 12/17/14
DIS BY PROC: 03/26/97

ENTITY NAME: 4714 ENTERPRISES, INC.
REINSTATE: 11/28/14
DIS BY PROC: 01/25/12

ENTITY NAME: 745 OWNERS CORP.
REINSTATE: 10/28/14
DIS BY PROC: 10/28/09

ENTITY NAME: 800 CARPETS, INC.
REINSTATE: 11/24/14
DIS BY PROC: 12/26/01

ENTITY NAME: 8003-8005 18TH AVENUE REALTY CORP.
REINSTATE: 10/10/14
DIS BY PROC: 09/25/02

ENTITY NAME: 8121 FIFTH AVENUE CORP.
REINSTATE: 12/03/14
DIS BY PROC: 04/27/11

COUNTY: MONROE

ENTITY NAME: FIRST BANDIT, INC.
REINSTATE: 12/04/14
DIS BY PROC: 04/25/12

ENTITY NAME: IVORY ELEPHANT CONSTRUCTION INC.
REINSTATE: 12/30/14
DIS BY PROC: 01/26/11

ENTITY NAME: M.A.N. ROCK ENTERPRISES, INC.
REINSTATE: 12/30/14
DIS BY PROC: 10/26/11

ENTITY NAME: THE GORPON GROUP, INC.
REINSTATE: 12/10/14
DIS BY PROC: 10/27/10

COUNTY: NASSAU

ENTITY NAME: AFFORDABLE MANAGEMENT CORPORATION
REINSTATE: 12/29/14
DIS BY PROC: 01/25/12

ENTITY NAME: AFFORDABLE OFFICE SERVICES INC.
REINSTATE: 11/20/14
DIS BY PROC: 04/25/12

ENTITY NAME: ARTHUR'S FUNERAL CHAPELS INC.
REINSTATE: 10/23/14
DIS BY PROC: 10/26/11

ENTITY NAME: BBG PROPERTIES, INC.
REINSTATE: 10/24/14
DIS BY PROC: 04/25/12

ENTITY NAME: C & Q CONSTRUCTION, INC.
REINSTATE: 11/14/14
DIS BY PROC: 07/28/10

ENTITY NAME: CERVINI MASONRY, INC.
REINSTATE: 10/06/14
DIS BY PROC: 07/27/11

ENTITY NAME: CRISCAY REALTY INCORPORATED
REINSTATE: 12/08/14
DIS BY PROC: 01/26/11

ENTITY NAME: FIRST NASSAU ROAD BUSINESS, INC.
REINSTATE: 10/20/14
DIS BY PROC: 01/27/10

ENTITY NAME: GOTTA GETTA BAGEL OF WOODMERE INC.
REINSTATE: 12/12/14
DIS BY PROC: 01/25/12

ENTITY NAME: IBG ENTERPRISES, INC.
REINSTATE: 10/24/14
DIS BY PROC: 03/20/96

ENTITY NAME: INGRAHAM STREET REALTY CORP.
REINSTATE: 10/29/14
DIS BY PROC: 10/26/11

ENTITY NAME: JK QUALITY SERVICE INC.
REINSTATE: 12/30/14
DIS BY PROC: 07/27/11

ENTITY NAME: JOSE M LANDSCAPING CORP.
REINSTATE: 11/05/14
DIS BY PROC: 04/29/09

ENTITY NAME: LEIGH DEVELOPMENTAL FITNESS INC.
REINSTATE: 11/19/14
DIS BY PROC: 10/28/09

ENTITY NAME: LUBNA NOOR, INC.
REINSTATE: 11/05/14
DIS BY PROC: 04/27/11

ENTITY NAME: METRO REP NY INC.
REINSTATE: 12/01/14
DIS BY PROC: 04/27/11

ENTITY NAME: NASSAU CONSULTANTING SOLUTIONS INC.
REINSTATE: 10/01/14
DIS BY PROC: 10/26/11

ENTITY NAME: NEW DUTCH WATER, CORP.
REINSTATE: 10/16/14
DIS BY PROC: 01/25/12

ENTITY NAME: O2 ELECTRONICS, INC.
REINSTATE: 10/14/14
DIS BY PROC: 01/26/11

ENTITY NAME: R.G.A. SECURITY SYSTEMS, INC.
REINSTATE: 12/11/14
DIS BY PROC: 07/28/10

ENTITY NAME: S.S. SARNA, INC.
REINSTATE: 11/20/14
DIS BY PROC: 01/25/12

ENTITY NAME: SAG CONTRACTING CORP.
REINSTATE: 11/18/14
DIS BY PROC: 01/27/10

ENTITY NAME: SEAPAR CORP.
REINSTATE: 12/01/14
DIS BY PROC: 01/26/11

ENTITY NAME: SR MUSIC ENTERPRISES, INC.
REINSTATE: 12/19/14
DIS BY PROC: 10/26/11

ENTITY NAME: SWEET MEMORIES, INC. - GROUP DAY CARE
REINSTATE: 11/12/14
DIS BY PROC: 10/26/11

ENTITY NAME: TAX SOLUTIONS INC.
REINSTATE: 11/17/14
DIS BY PROC: 10/26/11

ENTITY NAME: THE LAW OFFICE OF BENJAMIN M. PINCZE-
WSKI, ESQ., P.C.
REINSTATE: 10/16/14
DIS BY PROC: 01/27/10

ENTITY NAME: TOTAL INTERIOR CONTRACTING INC
REINSTATE: 11/26/14
DIS BY PROC: 04/27/11

ENTITY NAME: TRI-WEST HOLDING CORP.
REINSTATE: 12/16/14
DIS BY PROC: 12/29/99

ENTITY NAME: VICTORIA AUTO TOYZ INC.
REINSTATE: 12/11/14
DIS BY PROC: 04/25/12

ENTITY NAME: WAREHOUSE 5, INC.
REINSTATE: 10/23/14
DIS BY PROC: 07/27/11

ENTITY NAME: YASMEEN LIMO SERVICES INC.
REINSTATE: 10/22/14
DIS BY PROC: 04/27/11

ENTITY NAME: YNL INC.
REINSTATE: 12/03/14
DIS BY PROC: 04/27/11

COUNTY: NEW YORK

ENTITY NAME: \$7 & UP CLOTHING STORE, INC.
REINSTATE: 12/19/14
DIS BY PROC: 04/25/12

ENTITY NAME: A.J. SIRIS PRODUCTS CORPORATION
REINSTATE: 12/12/14
DIS BY PROC: 01/25/12

ENTITY NAME: AMILO TRADING INC.
REINSTATE: 12/04/14
DIS BY PROC: 04/25/12

ENTITY NAME: ANDREW GLASS MORTGAGE BROKERAGE
INC.
REINSTATE: 12/15/14
DIS BY PROC: 01/25/12

ENTITY NAME: BCRE-USA HOLDINGS CORPORATION
REINSTATE: 10/24/14
DIS BY PROC: 04/25/12

ENTITY NAME: CLARITY, INC.
REINSTATE: 11/04/14
DIS BY PROC: 01/26/11

ENTITY NAME: CONTINUUM REALTY SERVICES LTD.
REINSTATE: 10/01/14
DIS BY PROC: 10/28/09

ENTITY NAME: CORPORATE CONTEXT INC.
REINSTATE: 12/30/14
DIS BY PROC: 10/26/11

ENTITY NAME: D & R MARBLE & GRANITE, INC.
REINSTATE: 10/24/14
DIS BY PROC: 01/26/11

ENTITY NAME: D. GULATI & ASSOCIATES, INC.
REINSTATE: 12/02/14
DIS BY PROC: 09/29/93

ENTITY NAME: DIAKONIA ELECTRICAL AND CONSTRUCTION CORPORATION
REINSTATE: 10/24/14
DIS BY PROC: 01/25/12

ENTITY NAME: DTAANG DAAO BPLAAENG PHAEHT, LTD.
REINSTATE: 11/17/14
DIS BY PROC: 04/25/12

ENTITY NAME: EBRAHAM TRANSPORTATION INC.
REINSTATE: 10/06/14
DIS BY PROC: 01/25/12

ENTITY NAME: FOOD NEW MEDIA GROUP, INC.
REINSTATE: 11/19/14
DIS BY PROC: 07/27/11

ENTITY NAME: FRENCH AMERICAN CLINIC, INC.
REINSTATE: 12/31/14
DIS BY PROC: 01/25/12

ENTITY NAME: FUNERARIA LE FE, INC.
REINSTATE: 11/04/14
DIS BY PROC: 06/23/93

ENTITY NAME: GAMEDAY SPORTS LTD.
REINSTATE: 12/03/14
DIS BY PROC: 04/27/11

ENTITY NAME: GMB DIRECT INC.
REINSTATE: 11/07/14
DIS BY PROC: 07/27/11

ENTITY NAME: GRINNEL STREET REALTY CORP.
REINSTATE: 12/03/14
DIS BY PROC: 04/29/09

ENTITY NAME: INDIAN ACCESSORIES & STUFF, INC.
REINSTATE: 11/21/14
DIS BY PROC: 10/26/11

ENTITY NAME: JORGE V. ALVARADO-RIVERA, MD P.C.
REINSTATE: 11/21/14
DIS BY PROC: 04/27/11

ENTITY NAME: JOSH BACH, LIMITED
REINSTATE: 11/17/14
DIS BY PROC: 01/26/11

ENTITY NAME: LEWIS WOLF TRADING INC.
REINSTATE: 12/02/14
DIS BY PROC: 01/25/12

ENTITY NAME: LOTUS APPAREL DESIGNS INC.
REINSTATE: 12/26/14
DIS BY PROC: 01/25/12

ENTITY NAME: MANHATTAN BOOK COMPANY, INC.
REINSTATE: 10/28/14
DIS BY PROC: 01/25/12

ENTITY NAME: MANHATTAN CARPETS INC.
REINSTATE: 12/11/14
DIS BY PROC: 01/28/09

ENTITY NAME: MANHATTAN DEVELOPMENT CORPORATION
REINSTATE: 11/07/14
DIS BY PROC: 01/25/12

ENTITY NAME: MATT'S REALTY VENTURES, INC.
REINSTATE: 11/28/14
DIS BY PROC: 10/28/09

ENTITY NAME: MIDTOWN FOOD & DRINK INC.
REINSTATE: 12/11/14
DIS BY PROC: 07/27/11

ENTITY NAME: MP DESIGN CONSULTING INC.
REINSTATE: 10/03/14
DIS BY PROC: 07/27/11

ENTITY NAME: NEW AMSTERDAM THEATRE ENTERPRISES, INC.
REINSTATE: 11/04/14
DIS BY PROC: 09/23/98

ENTITY NAME: NY KIDS INC.
REINSTATE: 11/24/14
DIS BY PROC: 07/28/10

ENTITY NAME: NYC LES TATTOOS, INC.
REINSTATE: 12/03/14
DIS BY PROC: 01/26/11

ENTITY NAME: PGF PRODUCTIONS INC.
REINSTATE: 10/15/14
DIS BY PROC: 01/25/12

ENTITY NAME: PRET ROCK, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 11 WEST 42, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 1350 SIXTH, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 287 MADISON, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 399 PARK, INC.
REINSTATE: 10/02/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 6 EAST 46TH, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 666 THIRD, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PRET 875 SIXTH, INC.
REINSTATE: 11/05/14
DIS BY PROC: 01/27/10

ENTITY NAME: PSI MID ATLANTIC SEAFOODS, INC.
REINSTATE: 10/20/14
DIS BY PROC: 04/27/11

ENTITY NAME: SHART DEVELOPMENT, INC.
REINSTATE: 11/26/14
DIS BY PROC: 01/25/12

ENTITY NAME: SIX SCENTS PARFUMS INC.
REINSTATE: 10/07/14
DIS BY PROC: 10/26/11

ENTITY NAME: SUNNY SCUBA INC.
REINSTATE: 12/02/14
DIS BY PROC: 07/28/10

ENTITY NAME: TAI MAY REALTY INC.
REINSTATE: 10/01/14
DIS BY PROC: 10/26/11

ENTITY NAME: THE CORPORATE PRESENCE, INC.
REINSTATE: 12/22/14
DIS BY PROC: 01/25/12

ENTITY NAME: TIEN YICK CO., INC.
REINSTATE: 10/23/14
DIS BY PROC: 04/27/11

ENTITY NAME: TOWER CHEMISTS INC.
REINSTATE: 12/11/14
DIS BY PROC: 01/25/12

ENTITY NAME: VESTED CAPITAL, INC.
REINSTATE: 12/03/14
DIS BY PROC: 04/27/11

ENTITY NAME: WERTHEIMERS DEPT. STORE OF N.Y. INC.
REINSTATE: 11/21/14
DIS BY PROC: 04/27/11

ENTITY NAME: WILLIAM BEAVER 44B CORP.
REINSTATE: 10/09/14
DIS BY PROC: 04/25/12

ENTITY NAME: 145 FOOD CORP.
REINSTATE: 11/26/14
DIS BY PROC: 12/27/00

ENTITY NAME: 1520 MANAGEMENT CORP.
REINSTATE: 10/30/14
DIS BY PROC: 04/13/88

ENTITY NAME: 301 BROOME, INC.
REINSTATE: 10/27/14
DIS BY PROC: 07/27/11

ENTITY NAME: 3662 BROADWAY RESTAURANT CORP.
REINSTATE: 12/03/14
DIS BY PROC: 10/26/11

ENTITY NAME: 410 VANDERBILT AVENUE REALTY CORP.
REINSTATE: 12/19/14
DIS BY PROC: 01/26/11

ENTITY NAME: 88 KTV INC.
REINSTATE: 11/05/14
DIS BY PROC: 10/26/11

COUNTY: ONEIDA

ENTITY NAME: SENSORS M INCORPORATED
REINSTATE: 10/23/14
DIS BY PROC: 01/25/12

COUNTY: ONONDAGA

ENTITY NAME: ERIE CAR CARE CENTER, INC.
REINSTATE: 11/13/14
DIS BY PROC: 04/27/11

ENTITY NAME: PAINT MASKING PRODUCTS, INC.
REINSTATE: 11/10/14
DIS BY PROC: 04/27/11

COUNTY: ONTARIO

ENTITY NAME: FINGER LAKES AUTO RECYCLING, INC.
REINSTATE: 10/24/14
DIS BY PROC: 01/25/12

ENTITY NAME: J.G. TURNER INC.
REINSTATE: 10/23/14
DIS BY PROC: 10/28/09

COUNTY: ORANGE

ENTITY NAME: ALLIED RUBBISH REMOVAL, INC.
REINSTATE: 10/02/14
DIS BY PROC: 04/27/11

ENTITY NAME: KRISHNA DONUTS, INC.
REINSTATE: 10/01/14
DIS BY PROC: 04/27/11

ENTITY NAME: NADALA REALTY, LTD.
REINSTATE: 10/02/14
DIS BY PROC: 04/27/11

ENTITY NAME: SHREE RAM DONUTS, INC.
REINSTATE: 10/01/14
DIS BY PROC: 04/27/11

COUNTY: PUTNAM

ENTITY NAME: IOWA STYLE WRESTLING, INC.
REINSTATE: 10/06/14
DIS BY PROC: 04/25/12

COUNTY: QUEENS

ENTITY NAME: A.G. ELECTRICAL ASSOCIATES, INC.
REINSTATE: 10/15/14
DIS BY PROC: 01/27/10

ENTITY NAME: ALL AMERICAN CONTRACTING CORP.
REINSTATE: 10/28/14
DIS BY PROC: 09/25/91

ENTITY NAME: BABIX REALTY CORP.
REINSTATE: 12/15/14
DIS BY PROC: 01/25/12

ENTITY NAME: BDS ELECTRIC CORP.
REINSTATE: 10/31/14
DIS BY PROC: 12/26/01

ENTITY NAME: BRONX TRANSPORT GROUP INC.
REINSTATE: 11/24/14
DIS BY PROC: 10/26/11

ENTITY NAME: BUY RITE HOME SALES, INC.
REINSTATE: 12/08/14
DIS BY PROC: 06/26/02

ENTITY NAME: C TYRELL & CO. INC.
REINSTATE: 11/03/14
DIS BY PROC: 04/27/11

ENTITY NAME: CANAAN CAKE HOUSE, INC.
REINSTATE: 10/10/14
DIS BY PROC: 01/26/11

ENTITY NAME: DEENORA CORP.
REINSTATE: 12/16/14
DIS BY PROC: 01/26/11

ENTITY NAME: DEVORE DANCE CENTER INC.
REINSTATE: 10/24/14
DIS BY PROC: 09/24/97

ENTITY NAME: DIVA TRAVEL AND SERVICES INC.
REINSTATE: 11/10/14
DIS BY PROC: 04/27/11

ENTITY NAME: E & M ELECTRICAL CONTRACTING CORP.
REINSTATE: 10/24/14
DIS BY PROC: 10/26/11

ENTITY NAME: EAU DE LUXE, LTD.
REINSTATE: 12/29/14
DIS BY PROC: 10/26/11

ENTITY NAME: EL MONTANERO BAKERY RESTAURANT INC.
REINSTATE: 10/06/14
DIS BY PROC: 07/27/11

ENTITY NAME: HASDAS, INC.
REINSTATE: 12/12/14
DIS BY PROC: 04/25/12

ENTITY NAME: JACKSON HEIGHTS DISTRIBUTING CO. INC.
REINSTATE: 10/31/14
DIS BY PROC: 12/23/92

ENTITY NAME: JAMET ENTERPRISES INC.
REINSTATE: 12/19/14
DIS BY PROC: 12/26/01

ENTITY NAME: KATHERINA PERRY INC.
REINSTATE: 10/17/14
DIS BY PROC: 10/26/11

ENTITY NAME: KAZI ASSOCIATES, INC.
REINSTATE: 10/20/14
DIS BY PROC: 10/26/11

ENTITY NAME: KHAABAR BAARI RESTAURANT & PARTY HOUSE, INC.
REINSTATE: 11/07/14
DIS BY PROC: 07/27/11

ENTITY NAME: KMPEARL PRODUCTIONS, INC.
REINSTATE: 12/19/14
DIS BY PROC: 04/27/11

ENTITY NAME: KRAJA CONSULTING INC.
REINSTATE: 10/07/14
DIS BY PROC: 04/25/12

ENTITY NAME: LA TERRA PROMESSA CONSTRUCTION CORP
REINSTATE: 12/26/14
DIS BY PROC: 07/27/11

ENTITY NAME: M.V.M. PROPERTIES, INC.
REINSTATE: 12/22/14
DIS BY PROC: 09/23/98

ENTITY NAME: MAICO ELECTRICAL & MECHANICAL CORP.
REINSTATE: 12/18/14
DIS BY PROC: 06/25/03

ENTITY NAME: MARCA INC.
REINSTATE: 12/01/14
DIS BY PROC: 12/31/03

ENTITY NAME: MUSKAAN, INC.
REINSTATE: 11/04/14
DIS BY PROC: 04/27/11

ENTITY NAME: MY SWEET KITCHEN & BATH INC
REINSTATE: 11/26/14
DIS BY PROC: 07/27/11

ENTITY NAME: NR RESTORATION AND CONSTRUCTION INC.
REINSTATE: 10/31/14
DIS BY PROC: 01/25/12

ENTITY NAME: POLANCO MANAGEMENT, INC.
REINSTATE: 10/10/14
DIS BY PROC: 07/27/11

ENTITY NAME: PRASAD HOLDINGS, CORP.
REINSTATE: 11/13/14
DIS BY PROC: 04/27/11

ENTITY NAME: PRETTY GIRL OF 82ND JACKSON HEIGHTS CORP.
REINSTATE: 10/23/14
DIS BY PROC: 01/26/11

ENTITY NAME: QUEENS & KINGS REALTY INC.
REINSTATE: 10/17/14
DIS BY PROC: 07/29/09

ENTITY NAME: RONEL AND SON TRUCKING, INC.
REINSTATE: 11/21/14
DIS BY PROC: 01/27/10

ENTITY NAME: SIJANU INC.
REINSTATE: 10/17/14
DIS BY PROC: 06/27/01

ENTITY NAME: SLP NEW YORK CORP.
REINSTATE: 11/25/14
DIS BY PROC: 07/27/11

ENTITY NAME: SURVA LTD.
REINSTATE: 10/17/14
DIS BY PROC: 10/27/10

ENTITY NAME: TOTAL AUTO INC.
REINSTATE: 12/10/14
DIS BY PROC: 10/26/11

ENTITY NAME: VINEYARD COOPERATIVE CORP.
REINSTATE: 12/08/14
DIS BY PROC: 01/25/12

ENTITY NAME: VVN GROUP INC.
REINSTATE: 10/14/14
DIS BY PROC: 10/26/11

ENTITY NAME: 135-11 38TH AVE. REALTY CORP.
REINSTATE: 11/07/14
DIS BY PROC: 06/26/96

ENTITY NAME: 168 REALTY COMPANY, INC.
REINSTATE: 11/13/14
DIS BY PROC: 04/25/12

COUNTY: RICHMOND

ENTITY NAME: BIZINTEK INCORPORATED
REINSTATE: 10/16/14
DIS BY PROC: 07/27/11

ENTITY NAME: SOFT SYSTEM SOLUTION & CONSULTING, INC.
REINSTATE: 11/04/14
DIS BY PROC: 04/25/12

COUNTY: ROCKLAND

ENTITY NAME: C.H. MARTIN OF WEST HAVERSTRAW, INC
REINSTATE: 12/08/14
DIS BY PROC: 12/24/91

ENTITY NAME: GATEWAY ENERGY SERVICES OF PA, INC.
REINSTATE: 11/19/14
DIS BY PROC: 04/25/12

ENTITY NAME: LA NOUVELLE GENERATION RECORDS, INC.
REINSTATE: 11/17/14
DIS BY PROC: 10/26/11

ENTITY NAME: PIERMONT PLAZA MANAGER CORP.
REINSTATE: 10/03/14
DIS BY PROC: 01/26/11

ENTITY NAME: SIMJAC CONSTRUCTION CORP.
REINSTATE: 12/05/14
DIS BY PROC: 01/25/12

COUNTY: ST. LAWRENCE

ENTITY NAME: GARDNER'S FLOORING AND FURNITURE, INC.
REINSTATE: 12/15/14
DIS BY PROC: 04/27/11

ENTITY NAME: WENZEL PROPERTIES, INC.
REINSTATE: 12/29/14
DIS BY PROC: 04/25/12

COUNTY: SARATOGA

ENTITY NAME: QUALITY WATER SOLUTIONS, INC.
REINSTATE: 12/10/14
DIS BY PROC: 01/25/12

COUNTY: SUFFOLK

ENTITY NAME: ABOVE ALL ELECTRICAL SERVICES, INC.
REINSTATE: 12/22/14
DIS BY PROC: 10/26/11

ENTITY NAME: ARDENT RESOURCES GROUP, INC.
REINSTATE: 11/21/14
DIS BY PROC: 01/26/11

ENTITY NAME: ARTIE & KEN AUTO REPAIR INC.
REINSTATE: 12/18/14
DIS BY PROC: 10/28/09

ENTITY NAME: BARBANTE'S LANDSCAPING INC.
REINSTATE: 12/10/14
DIS BY PROC: 04/25/12

ENTITY NAME: BLACK GOLD OIL & GAS DEV., INC.
REINSTATE: 10/29/14
DIS BY PROC: 10/26/11

ENTITY NAME: DUE PROCESS REALTY CORP.
REINSTATE: 10/31/14
DIS BY PROC: 01/26/11

ENTITY NAME: F/V RESTLESS, INC.
REINSTATE: 12/09/14
DIS BY PROC: 01/27/10

ENTITY NAME: FINELINE EQUIPMENT AND SUPPLIES CO. INC.
REINSTATE: 10/16/14
DIS BY PROC: 01/25/12

ENTITY NAME: JOHN MACLEOD R.I.B.A. INC.
REINSTATE: 11/19/14
DIS BY PROC: 04/29/09

ENTITY NAME: KENT PATH CORPORATION
REINSTATE: 12/24/14
DIS BY PROC: 07/27/11

ENTITY NAME: LANDSCAPE HEALTHCARE, INC.
REINSTATE: 12/18/14
DIS BY PROC: 01/28/09

ENTITY NAME: LAWN 'N' TURF SPRINKLER SYSTEMS INC.
REINSTATE: 10/07/14
DIS BY PROC: 01/26/11

ENTITY NAME: LIFETIME OF SMILES REALTY CORP.
REINSTATE: 10/07/14
DIS BY PROC: 01/27/10

ENTITY NAME: MALBRO INC.
REINSTATE: 11/26/14
DIS BY PROC: 01/25/12

ENTITY NAME: RONNY'S JEWELRY INC.
REINSTATE: 10/20/14
DIS BY PROC: 07/27/11

ENTITY NAME: TRIPLE I RESTAURANT CORP.
REINSTATE: 10/27/14
DIS BY PROC: 12/23/92

ENTITY NAME: TULLY CORKA REALTY CORP.
REINSTATE: 10/28/14
DIS BY PROC: 04/25/12

ENTITY NAME: WALK ON 56 INC.
REINSTATE: 12/09/14
DIS BY PROC: 10/26/11

ENTITY NAME: 837 MAIN STREET REALTY CORP
REINSTATE: 10/31/14
DIS BY PROC: 01/26/11

COUNTY: SULLIVAN

ENTITY NAME: LENAPE FARMS INC.
REINSTATE: 10/01/14
DIS BY PROC: 03/24/93

ENTITY NAME: SONAL FOOD CORP.
REINSTATE: 10/01/14
DIS BY PROC: 04/27/11

COUNTY: ULSTER

ENTITY NAME: CHRIS-EDDY CORP.
REINSTATE: 11/18/14
DIS BY PROC: 03/25/92

ENTITY NAME: RAM HOTELS, INC.
REINSTATE: 11/24/14
DIS BY PROC: 10/28/09

ENTITY NAME: 107 MAIN STREET RESTAURANT CORP.
REINSTATE: 10/30/14
DIS BY PROC: 12/29/04

COUNTY: WAYNE

ENTITY NAME: INTEGRITY TAX SERVICES, INC.
REINSTATE: 11/05/14
DIS BY PROC: 04/27/11

COUNTY: WESTCHESTER

ENTITY NAME: BOBBY LAGANA, JR. RACING, INC.
REINSTATE: 10/07/14
DIS BY PROC: 10/27/10

ENTITY NAME: CITYSCAPE CORP.
REINSTATE: 11/19/14
DIS BY PROC: 01/25/12

ENTITY NAME: COUNTY CENTER AUTO SALES, INC.
REINSTATE: 10/20/14
DIS BY PROC: 01/25/12

ENTITY NAME: DALCO MANAGEMENT, INC.
REINSTATE: 11/13/14
DIS BY PROC: 04/27/11

ENTITY NAME: HOMESTAY, INC.
REINSTATE: 10/30/14
DIS BY PROC: 04/27/11

ENTITY NAME: HYE JUNG, CORP.
REINSTATE: 12/17/14
DIS BY PROC: 07/28/10

ENTITY NAME: IKE AND CO., INC.
REINSTATE: 10/10/14
DIS BY PROC: 03/28/01

ENTITY NAME: JAHA TECHNOLOGIES, INC.
REINSTATE: 12/12/14
DIS BY PROC: 10/26/11

ENTITY NAME: JOAN MOO YOUNG, P.C.
REINSTATE: 12/10/14
DIS BY PROC: 01/26/11

ENTITY NAME: KASAM DONUT CORPORATION
REINSTATE: 10/27/14
DIS BY PROC: 04/27/11

ENTITY NAME: LYNN A. GREENE, D.D.S., P.C.
REINSTATE: 10/03/14
DIS BY PROC: 04/27/11

ENTITY NAME: MANGIONE CONSTRUCTION INC.
REINSTATE: 11/18/14
DIS BY PROC: 01/25/12

ENTITY NAME: MARKET VIEW RESOURCES INC.
REINSTATE: 10/24/14
DIS BY PROC: 01/25/12

ENTITY NAME: NILROD LOUNGE, INC.
REINSTATE: 12/10/14
DIS BY PROC: 01/25/12

ENTITY NAME: PLAINS ENVIRONMENTAL AND GENERAL
CONTRACTING SERVICES INC.
REINSTATE: 12/05/14
DIS BY PROC: 10/26/11

ENTITY NAME: ROAD RUNNER GRAPHICS, INC.
REINSTATE: 10/14/14
DIS BY PROC: 07/25/12

ENTITY NAME: SUNG SING REALTY CORP.
REINSTATE: 12/02/14
DIS BY PROC: 03/25/92

ENTITY NAME: 142B BROOK STREET REALTY, INC.
REINSTATE: 10/24/14
DIS BY PROC: 01/25/12

ENTITY NAME: 21 SOUTH ECKAR STREET INC.
REINSTATE: 10/08/14
DIS BY PROC: 07/27/11

**NOTICE OF ANNULMENT
OF DISSOLUTION OF
CERTAIN MEMBERSHIP CORPORATION(S)**

Under the Provisions of Section 1012 of the Not-for-Profit Corporation Law, As Amended

On the fifteenth of October, nineteen hundred fifty-two, the following corporation(s) was/were dissolved in the manner prescribed by Section 57 of the Membership Corporations Law, as amended.

The Secretary of State hereby provides notice that the following corporation(s) has/have filed in the Department a certificate pursuant to Section 1012, subdivision (a), of the Not-for-Profit Corporation Law annulling all of the proceedings theretofore taken for the dissolution of each such corporation. The appropriate entries have been made on the records of the Department of State.

COUNTY: KINGS

ENTITY NAME: NUCHIM KLIEGMAN & BROTHERS FAMILY
SOCIETY, INC.
REINSTATE: 11/26/14
DIS BY PROC: 10/15/52

**NOTICE OF ERRONEOUS INCLUSION
IN DISSOLUTION BY PROCLAMATION OF
CERTAIN BUSINESS CORPORATIONS**

Under the Provisions of Section 203-a of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following corporations were erroneously included in proclamations declaring

certain business corporations dissolved. The State Tax Commission has duly certified to the Secretary of State that the names of these corporations were erroneously included in such proclamations. The appropriate entries have been made on the records of the Department of State.

COUNTY: KINGS

ENTITY NAME: HANARDI CORP.
REINSTATE: 11/14/14
DIS BY PROC: 01/26/11

ENTITY NAME: HMFL MANAGEMENT INC.
REINSTATE: 11/20/14
DIS BY PROC: 10/26/11

ENTITY NAME: PAVILION 39, LTD.
REINSTATE: 11/25/14
DIS BY PROC: 09/23/98

ENTITY NAME: STEP BY STEP EARLY CHILDHOOD CENTER, INC.
REINSTATE: 12/24/14
DIS BY PROC: 01/26/11

ENTITY NAME: 1076 EASTERN PARKWAY HOUSING DEVELOPMENT FUND CORPORATION
REINSTATE: 12/02/14
DIS BY PROC: 06/26/96

COUNTY: NASSAU

ENTITY NAME: KBM CONSULTANTS, INC.
REINSTATE: 12/16/14
DIS BY PROC: 10/27/10

COUNTY: NEW YORK

ENTITY NAME: BORICUA GOURMET DELI CORP.
REINSTATE: 10/06/14
DIS BY PROC: 01/25/12

ENTITY NAME: COMBINEDSTORY INC.
REINSTATE: 12/10/14
DIS BY PROC: 01/25/12

ENTITY NAME: FAMAF CORP.
REINSTATE: 11/06/14
DIS BY PROC: 07/28/10

ENTITY NAME: MASSAT OUEDRAOGO CONSULTING LTD
REINSTATE: 11/07/14
DIS BY PROC: 07/27/11

ENTITY NAME: WAYNE COMMUNICATIONS INC.
REINSTATE: 11/04/14
DIS BY PROC: 01/25/12

COUNTY: ONONDAGA

ENTITY NAME: R&F DANBURY CORPORATE MEMBER, INC.
REINSTATE: 10/22/14
DIS BY PROC: 01/26/11

COUNTY: QUEENS

ENTITY NAME: ENIMPEX INC.
REINSTATE: 10/07/14
DIS BY PROC: 07/27/11

ENTITY NAME: JACKSON HEIGHTS EARLY LEARNING CENTER ANNEX, INC.
REINSTATE: 10/16/14
DIS BY PROC: 07/27/11

ENTITY NAME: KAZ ENTERPRISES INC.
REINSTATE: 10/28/14
DIS BY PROC: 07/28/10

ENTITY NAME: KIDDY CORNER UNIVERSAL DAYCARE, INC.
REINSTATE: 10/27/14
DIS BY PROC: 07/27/11

ENTITY NAME: RUBOZ TRITEC CORP.
REINSTATE: 10/16/14
DIS BY PROC: 01/25/12

COUNTY: SCHENECTADY

ENTITY NAME: MAUGHAN GENERATOR CONSULTANTS INC.
REINSTATE: 10/02/14
DIS BY PROC: 01/25/12

COUNTY: SUFFOLK

ENTITY NAME: ALL IN 1 CONTRACTING SERVICES, INC.
REINSTATE: 11/13/14
DIS BY PROC: 01/26/11

ENTITY NAME: PROFICIENT BUSINESS SOLUTIONS, INC.
REINSTATE: 11/14/14
DIS BY PROC: 07/27/11

ENTITY NAME: THE TENLY CORPORATION
REINSTATE: 11/20/14
DIS BY PROC: 10/27/10

COUNTY: SULLIVAN

ENTITY NAME: ROCKLAND MANOR HOUSES, INC.
REINSTATE: 10/01/14
DIS BY PROC: 12/28/94

COUNTY: WESTCHESTER

ENTITY NAME: MIPEGE INC.
REINSTATE: 10/31/14
DIS BY PROC: 12/24/97

NOTICE OF ERRONEOUS INCLUSION IN ANNULMENT OF AUTHORITY OF CERTAIN FOREIGN CORPORATIONS

Under the Provisions of Section 203-b of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following foreign corporations were erroneously included in proclamations declaring their authority to do business in this state annulled. The State Tax Commission has duly certified to the Secretary of State that the names of the following foreign corporations were erroneously included in such proclamations. The appropriate entries have been made on the records of the Department of State.

COUNTY: ALBANY

ENTITY NAME: F. NORTH CLARK INSURANCE AGENCY INCORPORATED
JURIS: CONNECTICUT
REINSTATE: 10/30/14
ANNUL OF AUTH: 10/27/10

COUNTY: NASSAU

ENTITY NAME: INTERNATIONAL MEDIA CONCEPTS, INC.
JURIS: DELAWARE
REINSTATE: 10/02/14
ANNUL OF AUTH: 06/30/04

COUNTY: NEW YORK

ENTITY NAME: AROD CORPORATION
FICT NAME: AROD LEASING
JURIS: FLORIDA
REINSTATE: 12/26/14
ANNUL OF AUTH: 10/26/11

ENTITY NAME: BLACKROCK, INC.
JURIS: DELAWARE
REINSTATE: 12/02/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: DBG M NYRE EQUITY CORP
JURIS: DELAWARE
REINSTATE: 12/10/14
ANNUL OF AUTH: 10/26/11

ENTITY NAME: IDEX, INC.
JURIS: DELAWARE
REINSTATE: 11/20/14
ANNUL OF AUTH: 09/27/95

**NOTICE OF CANCELLATION
OF ANNULMENT OF AUTHORITY OF
CERTAIN FOREIGN CORPORATIONS**

Under the Provisions of Section 203-b of the Tax Law, As Amended

The Secretary of State hereby provides notice that the following foreign corporations, which had their authority to do business in this state annulled in the manner prescribed by Section 203-b of the Tax Law, have complied with the provisions of subdivision (7) of Section 203-b of the Tax Law, annulling all of the proceedings theretofore taken for the annulment of authority of each such corporation. The appropriate entries have been made on the records of the Department of State.

COUNTY: ALBANY

ENTITY NAME: GENCORP INSURANCE GROUP, INC.
FICT NAME: GENCORP INSURANCE BROKERAGE
JURIS: RHODE ISLAND
REINSTATE: 11/13/14
ANNUL OF AUTH: 07/28/10

ENTITY NAME: LINDQUIST INSURANCE ASSOCIATES, INC.
FICT NAME: LINDQUIST INSURANCE AGENCY
JURIS: CONNECTICUT
REINSTATE: 10/15/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: USA MOBILITY, INC.
JURIS: DELAWARE
REINSTATE: 10/30/14
ANNUL OF AUTH: 04/27/11

ENTITY NAME: WALKERCOM, INC.
JURIS: TEXAS
REINSTATE: 11/06/14
ANNUL OF AUTH: 10/26/11

COUNTY: DUTCHESS

ENTITY NAME: COMPUTER DOCTOR ASSOCIATES CORP.
FICT NAME: COMPUTER ASSOCIATES
JURIS: DELAWARE
REINSTATE: 12/09/14
ANNUL OF AUTH: 07/27/11

COUNTY: ERIE

ENTITY NAME: I S ONE, INC.
JURIS: MICHIGAN
REINSTATE: 11/21/14
ANNUL OF AUTH: 10/26/11

COUNTY: FRANKLIN

ENTITY NAME: PRO CON, INCORPORATED
JURIS: NEW HAMPSHIRE
REINSTATE: 10/16/14
ANNUL OF AUTH: 06/30/04

COUNTY: GREENE

ENTITY NAME: SHANTY HOLLOW CORPORATION
JURIS: DELAWARE
REINSTATE: 11/05/14
ANNUL OF AUTH: 01/25/12

COUNTY: NEW YORK

ENTITY NAME: A.A. ACTION COLLECTION CO., INC.
JURIS: NEW JERSEY
REINSTATE: 10/03/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: ABERDEEN ASSET MANAGEMENT, INC.
JURIS: DELAWARE
REINSTATE: 12/12/14
ANNUL OF AUTH: 04/25/12

ENTITY NAME: ALLMAN & COMPANY, INCORPORATED
FICT NAME: ALLMAN INSURANCE AGENCY
JURIS: PENNSYLVANIA
REINSTATE: 10/24/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: CHRISTI INSURANCE GROUP, INC.
FICT NAME: CHRISTI INSURANCE AGENCY
JURIS: PENNSYLVANIA
REINSTATE: 10/27/14
ANNUL OF AUTH: 10/26/11

ENTITY NAME: CLAIMS MANAGEMENT RESOURCES, INC.
JURIS: OKLAHOMA
REINSTATE: 11/25/14
ANNUL OF AUTH: 04/27/11

ENTITY NAME: DART APPRAISAL.COM, INC.
JURIS: MICHIGAN
REINSTATE: 10/16/14
ANNUL OF AUTH: 07/28/10

ENTITY NAME: DIRECT FOREIGN EXCHANGE INC.
JURIS: DELAWARE
REINSTATE: 11/05/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: GEO-GROUP COMMUNICATIONS, INC.
JURIS: DELAWARE
REINSTATE: 11/24/14
ANNUL OF AUTH: 03/31/04

ENTITY NAME: HOFFMANN ELECTRIC SERVICE CORPORATION
JURIS: DELAWARE
REINSTATE: 12/31/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: JPMC HOLDING INC.
JURIS: DELAWARE
REINSTATE: 12/04/14
ANNUL OF AUTH: 07/28/10

ENTITY NAME: KELSEY NATIONAL CORPORATION
JURIS: CALIFORNIA
REINSTATE: 12/24/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: MAJOR LEAGUE BASEBALL BLUE, INC.
JURIS: DELAWARE
REINSTATE: 11/12/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: MGK GROUP, INC.
JURIS: NEW JERSEY
REINSTATE: 11/19/14
ANNUL OF AUTH: 01/26/11

ENTITY NAME: NEUMAN INSURANCE SOLUTIONS, INC.
FICT NAME: NEUMAN INSURANCE AGENCY
JURIS: NEW JERSEY
REINSTATE: 11/28/14
ANNUL OF AUTH: 04/27/11

ENTITY NAME: OUTSIDE TELEVISION, INC.
JURIS: DELAWARE
REINSTATE: 10/07/14
ANNUL OF AUTH: 10/26/11

ENTITY NAME: PEDESTAL CAPITAL MARKETS, INC.
JURIS: DELAWARE
REINSTATE: 11/06/14
ANNUL OF AUTH: 01/27/10

ENTITY NAME: REPUBLIC CLAIMS SERVICE CO.
JURIS: ARIZONA
REINSTATE: 11/03/14
ANNUL OF AUTH: 01/26/11

ENTITY NAME: S.G.D. CORP.
JURIS: DELAWARE
REINSTATE: 11/17/14
ANNUL OF AUTH: 09/27/95

ENTITY NAME: SMITH-FEIKE-MINTON, INC.
JURIS: OHIO
REINSTATE: 10/10/14
ANNUL OF AUTH: 10/27/10

ENTITY NAME: THE MUNDIAL GROUP, INC.
JURIS: DELAWARE
REINSTATE: 12/18/14
ANNUL OF AUTH: 07/27/11

COUNTY: ORANGE

ENTITY NAME: PROCOMM SYSTEMS, INC.
JURIS: NEW JERSEY
REINSTATE: 12/01/14
ANNUL OF AUTH: 06/30/04

COUNTY: RICHMOND

ENTITY NAME: ADVANTAGE ENGINEERING ASSOCIATES PC
JURIS: NEW JERSEY
REINSTATE: 11/18/14
ANNUL OF AUTH: 10/26/11

COUNTY: ROCKLAND

ENTITY NAME: ACTIVE INTERNATIONAL MOTORS, INC.
JURIS: DELAWARE
REINSTATE: 11/18/14
ANNUL OF AUTH: 07/27/11

ENTITY NAME: EMBROIDME.COM, INC.
JURIS: FLORIDA
REINSTATE: 12/31/14
ANNUL OF AUTH: 01/25/12

COUNTY: SCHENECTADY

ENTITY NAME: KAJEET, INC.
JURIS: DELAWARE
REINSTATE: 12/30/14
ANNUL OF AUTH: 07/27/11

COUNTY: SUFFOLK

ENTITY NAME: SPEEDY SIGN-A-RAMA USA, INC.
JURIS: FLORIDA
REINSTATE: 11/13/14
ANNUL OF AUTH: 09/27/95

COUNTY: WESTCHESTER

ENTITY NAME: ABSOLUTELY ENERGIZED SOLAR ELECTRIC, INC.
JURIS: NEW JERSEY
REINSTATE: 11/05/14
ANNUL OF AUTH: 01/25/12

**NOTICE OF THE ANNULMENT
OF THE REVOCATION BY PROCLAMATION
OF THE REGISTRATION OF CERTAIN
REGISTERED LIMITED LIABILITY PARTNERSHIPS**

Under the Provisions of Section 121-1500(g) of the Partnership Law, As Amended

The Secretary of State hereby provides notice that the following registered limited liability partnerships which were duly included in proclamations declaring the registration of such registered limited liability partnerships to be revoked in the manner prescribed by Section 121-1500(g) of the Partnership Law, have complied with the provisions of Section 121-1500(g) of the Partnership Law, annulling all of the proceedings theretofore taken for the revocation of the registration of such registered limited liability partnerships. The appropriate entries have been made on the records of the Department of State.

ENTITY NAME: AKIN GUMP LLP
REINSTATE: 12/10/14
REVOC OF REGIST: 04/30/14

ENTITY NAME: ARLIA & ASSOCIATES CPA'S LLP
 REINSTATE: 10/30/14
 REVOC OF REGIST: 02/26/14

ENTITY NAME: DONATELLI & DONATELLI, LLP
 REINSTATE: 12/10/14
 REVOC OF REGIST: 07/30/14

ENTITY NAME: FISCHETTI & PESCE, LLP
 REINSTATE: 12/10/14
 REVOC OF REGIST: 01/26/11

ENTITY NAME: GATES & GOLDSTEIN, LLP
 REINSTATE: 12/22/14
 REVOC OF REGIST: 04/30/14

ENTITY NAME: HANRAHANMEYERS ARCHITECTS, LLP
 REINSTATE: 10/07/14
 REVOC OF REGIST: 11/20/13

ENTITY NAME: JAMIE BLAU, D.C., LLP
 REINSTATE: 11/12/14
 REVOC OF REGIST: 03/29/06

ENTITY NAME: PITTA & GIBLIN LLP
 REINSTATE: 11/18/14
 REVOC OF REGIST: 04/30/14

ENTITY NAME: PRADO & TUY, LLP
 REINSTATE: 10/07/14
 REVOC OF REGIST: 11/20/13

ENTITY NAME: RIEBLING, PROTO & SACHS, LLP
 REINSTATE: 10/30/14
 REVOC OF REGIST: 07/27/11

ENTITY NAME: ROUZARD & ROUZARD, LLP
 REINSTATE: 11/18/14
 REVOC OF REGIST: 10/27/10

ENTITY NAME: SAMSON FINK & DUBOW LLP
 REINSTATE: 12/10/14
 REVOC OF REGIST: 04/27/11

ENTITY NAME: SHERMAN DUNN, M.D. AND GILDA F. NA-FARRETTE, M.D., LLP
 REINSTATE: 12/29/14
 REVOC OF REGIST: 12/31/08

ENTITY NAME: WESTSIDE PODIATRY CENTER, LLP
 REINSTATE: 12/29/14
 REVOC OF REGIST: 04/25/12

ENTITY NAME: ZYSMAN, AHARONI, GAYER AND SULLIVAN & WORCESTER LLP
 REINSTATE: 12/22/14
 REVOC OF REGIST: 09/26/07

NOTICE OF THE ANNULMENT OF THE REVOCATION BY PROCLAMATION OF THE STATUS OF CERTAIN FOREIGN LIMITED LIABILITY PARTNERSHIPS AS NEW YORK REGISTERED FOREIGN LIMITED LIABILITY PARTNERSHIPS

Under the Provisions of Section 121-1502(f) of the Partnership Law, As Amended

The Secretary of State hereby provides notice that the following New York registered foreign limited liability partnerships which were duly included in proclamations declaring the status of such New York registered foreign limited liability partnerships to be revoked in the

manner prescribed by Section 121-1502(f) of the Partnership Law, have complied with the provisions of Section 121-1502(f) of the Partnership Law annulling all of the proceedings theretofore taken for the revocation of the status of such New York registered foreign limited liability partnerships. The appropriate entries have been made on the records of the Department of State.

ENTITY NAME: ZYSMAN, AHARONI, GAYER LLP
 JURIS: DELAWARE
 REINSTATE: 10/30/14
 REVOC OF REGIST: 09/27/06

PUBLIC NOTICE

Town of Chenango

The Town of Chenango is soliciting proposals from Administrative Service Agencies, Trustees, and Financial Organizations for services in connection with a Deferred Compensation Plan that will meet the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained from: Harold Snopek, Supervisor, Town of Chenango, 1529 NYS Rte. 12, Binghamton, NY 13901

All proposals must be submitted not later than 30 days from the date of publication in the New York State Register.

PUBLIC NOTICE

Office of Fire Prevention and Control

Pursuant to Section 176-b of the Town Law, the Office of Fire Prevention and Control hereby gives notice of the following:

Application for Waiver of the Limitation on Non-resident Members of Volunteer Fire Companies

An application for a waiver of the requirements of paragraph a of subdivision 7 of section 176-b of the Town Law, which limits the membership of volunteer fire companies to forty-five per centum of the actual membership of the fire company, has been submitted by the Glenville Hill Volunteer Fire Department, County of Schenectady.

Pursuant to section 176-b of the Town Law, the non-resident membership limit shall be waived provided that no adjacent fire department objects within sixty days of the publication of this notice.

Objections shall be made in writing, setting forth the reasons such waiver should not be granted, and shall be submitted to: Bryant D. Stevens, State Fire Administrator, State of New York, Office of Fire Prevention and Control, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12226

Objections must be received by the State Fire Administrator within sixty days of the date of publication of this notice.

In cases where an objection is properly filed, the State Fire Administrator shall have the authority to grant a waiver upon consideration of (1) the difficulty of the fire company or district in retaining and recruiting adequate personnel; (2) any alternative means available to the fire company or district to address such difficulties; and (3) the impact of the waiver on adjacent fire departments.

For further information, please contact: Deputy Chief Bernie Kirk, State of New York, Office of Fire Prevention and Control, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12226, (518) 474-6746, or e-mail: Bernie.Kirk@dhses.ny.gov

PUBLIC NOTICE

Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. 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 Tollsen, Building Standards And

Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2015-0048 Matter of Mark & Karen Critendom, 550 East Main Street, Batavia, New York for a variance concerning requirements for fire sprinkler system.

Involved is an existing two story wood frame building for mixed mercantile and residential occupancies, located at 550 East Main Street, City of Batavia, County of Genesee, State of New York.

2015-0063 Matter of West Genesee Central School District, attn: Paul Pelton, Assistant Superintendent, 300 Sanderson Drive, Camillus, NY 13031 for a variance concerning fire safety and building code requirements including construction of a fire wall to be continuous from foundation to or through the roof.

Involved is the addition and alteration of an existing buildings known as "Onondaga Road Elementary School", located at 703 Onondaga Road, City of Syracuse, Onondaga County, New York.

2015-0064 Matter of West Genesee Central School District, attn: Paul Pelton, Assistant Superintendent, 300 Sanderson Drive, Camillus, NY 13031 for a variance concerning fire safety and building code requirements including construction of a fire wall to be continuous from foundation to or through the roof.

Involved is the addition and alteration of an existing buildings known as "East Hill Elementary School", located at 401 Blackmore Road, Town of Camillus, Onondaga County, New York.

2015-0070 Matter of MSBP 251, LLC.; Paul Kolkmeier, 5477 Main Street, Williamsville, NY 14221 for variance concerning requirements pertaining to opening protective in exterior walls.

Involved is an existing five story building, of fire resistive construction, for mixed use of business, mercantile and permanent multiple dwellings, located at 251 Main street, City of Buffalo, County of Erie, State of New York.