INSIDE THIS ISSUE:

- Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure
- Schedule of Reasonable Costs for Major Capital Improvements in Rent Regulated Housing Accommodations
- Emergency Financial Relief

Executive Orders

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

For notices published in this issue:
- the 60-day period expires on August 30, 2020
- the 45-day period expires on August 15, 2020
- the 30-day period expires on July 31, 2020
Be a part of the rule making process!

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

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

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

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

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

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

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

NYS Department of State
One Commerce Plaza
99 Washington Avenue
Suite 650
Albany, NY 12231-0001
Telephone: (518) 474-6957
Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the Register and follow the procedures on the website (www.dos.ny.gov)

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**Financial Services, Department of**
1 / Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure (E)

**Health, Department of**
6 / Communicable Diseases Reporting and Control - Adding Severe or Novel Coronavirus (A)

**Housing and Community Renewal, Division of**
9 / Schedule of Reasonable Costs for Major Capital Improvements in Rent Regulated Housing Accommodations (EP)

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13 / Petition for Rehearing and Implementation of the Proposed Community Credit (A)
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14 / Petition for Use of Funds for Pipeline Safety Programs (A)
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RULE MAKING ACTIVITIES

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

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

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

Department of Economic Development

NOTICE OF ADOPTION

Empire State Entertainment Diversity Job Training Program

I.D. No. EDV-10-20-00001-A
Filing No. 399
Filing Date: 2020-06-16
Effective Date: 2020-07-01

Pursuant to the provisions of the State Administrative Procedure Act, notice is hereby given of the following action:

Action Taken: Addition of Part 171 to Title 5 NYCRR.

Statutory Authority: State Finance Law, section 97-ff; L. 2019, ch. 39

Subject: Empire State entertainment diversity job training program.

Purpose: To implement the administrative process for the Empire State entertainment diversity job training program.

Text or Summary Published: In the March 11, 2020 issue of the Register, I.D. No. EDV-10-20-00001-P.

Final Rule as Compared with Last Published Rule: No changes.

Text of Rule and Any Required Statements and Analyses May Be Obtained From: Thomas P Regan, NYS Dept of Economic Development, 625 Broadway, Albany, NY 12245, (518) 292-5120, email: thomas.regan@esd.ny.gov

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

As there have been no changes to the last published rule, there are no changes to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis or Job Impact Statement.

Initial Review of Rule

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

Assessment of Public Comment

The Department of Economic Development (“DED”) received 4 letters commenting on the proposed regulations. It should be noted that to the extent comments editorialized and articulated their policy position on the program, those comments have not been addressed below.

Below is a summary of substantive comments with DED’s response:

Comment: Commenter suggested adding disabled people in the definition of diverse workers to be targeted with training programs. Another commenter suggested including LGBTQ+ people as well as disabled people (neuro) and generationally diverse people in the definition of diverse workers as well.

Response: While DED certainly supports programs aimed at increasing the representation of marginalized groups, the diverse groups targeted by this training program’s limited resources are minorities and women, as defined in Article 15-A of the Executive Law.

Comment: Commenter suggested that the list of the crafts included in the program include post production and production accounting.

Response: The program purpose is to incentivize training programs involved in the principle creation or editing of a motion picture or television production. As such, post production job functions are covered under section 171.5(a)(iv). The program purpose is to incentivize training programs involved in the principle creation or editing of a motion picture or television production. As such, post production job functions are covered under section 171.5(a)(iv). The revised rule has been excluded per section 171.5(b)(1).

Comment: Commenter suggested adding governments and public-private partnerships (e.g., with municipal workforce boards, career centers and educational institutions) as eligible applicants in order to support the formation of regional strategic growth initiatives.

Response: Eligible applicants already include not for profit corporations, guilds and labor unions so public private partnerships may be leveraged under the regulations.

Comment: Commenter suggests allowing funds to be used for capital projects specific to space for training, equipment and industry infrastructure support.

Response: Due to the limited funds in this program and the desire to fund multiple projects annually, this program does not target funding capital projects and expenses.

Department of Financial Services

EMERGENCY RULE MAKING

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

I.D. No. DFS-26-20-00002-E
Filing No. 396
Filing Date: 2020-06-11
Effective Date: 2020-06-11

Pursuant to the provisions of the State Administrative Procedure Act, notice is hereby given of the following action:

Action Taken: Addition of section 52.16(q) to Title 11 NYCRR.

Statutory Authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3126, 3127, 3217-h, 3221, 4303 and 4306-g


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

Specific reasons underlying the finding of necessity: The novel coronavirus (“COVID-19”) has spread to millions of people worldwide, with several hundred thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has concluded that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that insureds continue to have access to health care services in a way that limits the spread of COVID-19.

This amendment prohibits authorized insurers and health maintenance organizations (collectively, “health care plans”) that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and states that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network telehealth service otherwise covered under the policy when such service is delivered via telehealth during the state of emergency declared by Governor Cuomo related to COVID-19. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network health care providers (“providers”) to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible for telehealth services provided during the state of emergency declared by Governor Cuomo related to COVID-19.

Given the public health implications related to COVID-19, it is essential that New Yorkers continue to be able to access health care services in a way that limits the spread of COVID-19. The waiver of copayments, coinsurance, and annual deductibles for in-network telehealth services is necessary to ensure that people continue to have access to health care services in a way that limits in-person exposure. Additionally, encouraging people who do not need emergency care to use telehealth services alleviates the stress that COVID-19 puts on our health care system, in particular, the number of patients in emergency departments. Failure to encourage the use of telehealth services could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

Since the crisis involving COVID-19 is constantly evolving, and to ensure that New Yorkers continue to have access to health care services in a way that limits the spread of COVID-19, it is imperative that this amendment be promulgated on an emergency basis for the preservation of public health.

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

Purpose: To waive cost-sharing for in-network telehealth services during the state of emergency declared by Governor Cuomo for COVID-19.

Text of emergency rule: Section 52.16(q) is added as follows:

(1) During the state of emergency declared by the governor of this State related to the novel coronavirus (COVID-19), no policy or contract delivered or issued for delivery in this State that provides comprehensive coverage for hospital, surgical, or medical care shall impose, and no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service delivered via telehealth when such service would have been covered under the policy if it had been delivered in person.

(2) An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.

(3) Telehealth means the use of electronic information and communication technologies, including the telephone, by a health care provider to deliver health care services to an insured while such insured is located at a site that is different from the site where the health care provider is located, pursuant to Insurance Law sections 3217-h and 4306-g.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires September 8, 2020.

Text of rule and any required statements and analyses may be obtained from: Tobias Len, Department of Financial Services, One Commerce Plaza, 950 First Street, Albany, NY 12207, (518) 474-8975, email: Tobias.Len@dof.ny.gov.

Regulatory Impact Statement

1. Statutory authority: Financial Services Law sections 202 and 302 and Insurance Law sections 301, 3216, 3217, 3217-h, 3221, 4303, and 4306-g.

Financial Services Law section 202 establishes the office of the Superintendent of Financial Services (“Superintendent”).

Financial Services Law section 302 establishes the Superintendent to prescribe regulations interpreting the Insurance Law and to effectuate any power granted to the Superintendent in the Insurance Law, Financial Services Law, or any other law.

Insurance Law section 3216 sets forth the standard provisions in individual accident and health insurance policies.

Insurance Law section 3217 authorizes the Superintendent to issue regulations to establish minimum standards for the form, content and sale of health insurance policies and subscriber contracts of corporations organized under Insurance Law Articles 32 and 43 and Public Health Law Article 44.

Insurance Law sections 3217-e and 4306-g provide that an insurer or corporation may not exclude from coverage a service that is otherwise covered under a policy or contract that provides comprehensive coverage for hospital, medical or surgical care because the service is delivered via telehealth.

Insurance Law section 3221 sets forth the standard provisions in group and blanket accident and health insurance policies.

Insurance Law section 4303 sets forth mandatory benefits in subscriber contracts issued by corporations organized under Insurance Law Article 43.

2. Legislative objectives: The statutory sections cited above establish the minimum standards for the form, content, and sale of health insurance, including standards of full and fair disclosure. This proposed amendment accords with the public policy objectives that the Legislature sought to advance in the foregoing sections of the Insurance Law by prohibiting copayments, coinsurance, and annual deductibles for in-network telehealth services otherwise covered under the policy when such service is delivered via telehealth during the state of emergency declared by Governor Cuomo related to the novel coronavirus (“COVID-19”).

This amendment needs to be in effect to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires September 8, 2020.

3. Provisions of this amendment: This amendment authorizes insurers and health maintenance organizations (collectively, “health care plans”) that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and states that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy when such service is delivered via telehealth during the state of emergency declared by Governor Cuomo related to COVID-19.

This amendment prohibits authorized insurers and health maintenance organizations (collectively, “health care plans”) that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and states that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network telehealth service otherwise covered under the policy when such service is delivered via telehealth during the state of emergency declared by Governor Cuomo related to COVID-19.

The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network health care providers (“providers”) in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible for telehealth services provided during the state of emergency declared by Governor Cuomo related to COVID-19.

The Department of Financial Services (“Department”) expects every health care provider, including telehealth service providers, to ensure that the insured’s waived copayment, coinsurance, or annual deductible, with respect to any affected claims.

The Department of Financial Services (“Department”) expects every health care provider, including telehealth service providers, to notify the insurer of any additional costs that the insurer may incur to comply with the amendment. This notification should be made in a way that limits the spread of COVID-19. The waiver of copayments, coinsurance, and annual deductibles for in-network telehealth services is necessary to ensure that people continue to have access to health care services in a way that limits in-person exposure. Additionally, encouraging people who do not need emergency care to use telehealth services alleviates the stress that COVID-19 puts on our health care system, in particular, the number of patients in emergency departments. Failure to encourage the use of telehealth services could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

4. Costs: Health care plans may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates and they will need to provide written notification to in-network providers regarding this amendment. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

This amendment may impose costs on providers because they will need to ensure that insureds are not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured’s copay-
ment, co-insurance, or annual deductible, from the health care plan directly with respect to any in-network service otherwise covered under the policy when such service is delivered via telehealth during the state of emergency declared by Governor Cuomo related to COVID-19. This notification should ensure that providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any costs should be minimal because health care plans and providers must provide written notifications to providers as a part of the normal course of business.

A provider that is a small business may incur additional costs to comply with the amendment, which may include costs to ensure that the insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any additional costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

4. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment. A health care plan and a provider that is a small business should not incur any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the amendment does not apply to any local government. This amendment should not have an adverse impact on a health care plan or provider that is a small business affected by the amendment, because the amendment does not apply to a health care plan or provider that is a small business affected by the amendment, which may include costs to ensure that the insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any additional costs should be minimal because health care plans and providers must provide written notifications to providers as a part of the normal course of business.

8. Alternatives: There are no significant alternatives to consider.

9. Federal standards: The amendment does not exceed any minimum standards of the federal government for the same or similar subject areas. If the federal government mandates: The amendment does not impose any program, service, duty or responsibility on any county, city, town, village, school district, fire district or other special district.

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

Regulatory Flexibility Analysis

1. Effect of the rule: This rule affects health maintenance organizations and authorized insurers (collectively, “health care plans”) and health care providers (“providers”). This amendment prohibits health care plans that provide comprehensive coverage for hospital, surgical, or medical care from imposing, and no insurer shall be required to pay, copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. This notification should ensure that providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. However, any costs should be minimal because health care plans and providers must provide written notifications to providers as a part of the normal course of business.

2. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may be subject to reporting, recordkeeping, or other compliance requirements as the health care plan may need to file new policy and contract forms and rates with the Department of Financial Services and must provide written notification of the amendment to its in-network providers. A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment.

3. Professional services: No local government will need professional services to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment should need to retain professional services, such as lawyers or auditors, to comply with this amendment.

4. Change in law costs: No local government will incur any costs to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may incur costs because it may need to file new policy or contract forms and rates and must provide written notification of the amendment to providers. However, any costs should be minimal because health care plans submit policy or contract forms and rate filings and provide written notifications to providers as a part of the normal course of business.

3. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may be subject to reporting, recordkeeping, or other compliance requirements as the health care plan may need to file new policy and contract forms and rates with the Department of Financial Services and must provide written notification of the amendment to its in-network providers. A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment. A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment.

4. Costs: Health care plans and providers, including those in rural areas, may incur additional costs to comply with the amendment. A health care plan may incur additional compliance costs as it may need to file new policy and contract forms and rates with the Department and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans, submit policy or contract forms and rate filings and provide written notifications to providers as a part of the normal course of business.

3. Costs: Health care plans and providers, including those in rural areas, may incur additional costs to comply with the amendment. A health care plan may incur additional compliance costs as it may need to file new policy and contract forms and rates with the Department and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans, submit policy or contract forms and rate filings and provide written notifications to providers as a part of the normal course of business.

4. Economic and technological feasibility: This amendment uniformly affects health care plans and providers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department notified trade associations representing health care plans that are in rural areas that it intended to promulgate this amendment. Health care plans and providers in rural areas will also have an opportunity to participate in the rulemaking process.
when the amendment is published in the State Register and posted on the Department’s website.

**Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment prohibits a policy or contract delivered or issued for delivery in this State that provides comprehensive coverage for hospital, surgical, or medical care from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service otherwise covered under the policy when such service is delivered via telehealth during the state of emergency declared by Governor Cuomo related to the novel coronavirus (COVID-19). As a result, there should be no impact on jobs or employment opportunities.

**EMERGENCY RULE MAKING**

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

I.D. No. DFS-26-20-00003-E

Filing No. 397

Filing Date: 2020-06-11

Effective Date: 2020-06-11

Pursuant to the provisions of the State Administrative Procedure Act, Notice is hereby given of the following action:

**Action Taken:** Addition of section 52.16(p) to Title 11 NYCRR.

**Statutory Authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3216, 3217, 3221 and 4303

**Finding of Necessity for Emergency Rule:** Preservation of public health and public safety.

**Specific Reasons Underlying the Finding of Necessity:** The novel coronavirus (“COVID-19”) has spread to millions of people worldwide, with several hundred thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has confirmed that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that cost-sharing not serve as a barrier to testing for COVID-19.

This amendment prohibits health care plans that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19 and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected. (i) in-network laboratory tests to diagnose the novel coronavirus (COVID-19); and

(ii) visits to diagnose the novel coronavirus (COVID-19) at the following locations, including through telehealth: an in-network provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose the novel coronavirus (COVID-19), or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for the novel coronavirus (COVID-19), including an inpatient hospital admission, as otherwise permitted by law. (2) An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires September 8, 2020.

Text of rule and any required statements and analyses may be obtained from: Tobias Len, Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 474-8975, email: Tobias.Len@dfs.ny.gov

**Regulatory Impact Statement**


Financial Services Law section 202 establishes the office of the Superintendent of Financial Services (“Superintendent”).

Financial Services Law section 302 and Insurance Law section 301, in pertinent part, authorize the Superintendent to prescribe regulations to establish minimum standards for the form, content and sale of health insurance policies and subscriber contracts of corporations organized under Insurance Law Articles 32 and Article 43 and Public Health Law Article 44.

Insurance Law section 3217 sets forth the standard provisions in group and blanket accident and health insurance policies.

Insurance Law section 4303 sets forth mandatory benefits in subscriber contracts issued by corporations organized under Insurance Law Article 43.

2. Legislative objectives: The statutory sections cited above establish the minimum standards for the form, content, and sale of health insurance, including standards of full and fair disclosure. This proposed amendment accords with the public policy objectives that the Legislature sought to advance in the foregoing sections of the Insurance Law by prohibiting the imposition of copayments, coinsurance, or annual deductibles for in-network laboratory tests to diagnose the novel coronavirus (“COVID-19”) and visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital.

3. Needs and benefits: COVID-19 has spread to millions of people worldwide, with several hundred thousand confirmed cases in New York State. While the number of hospitalizations for COVID-19 has diminished sharply in New York, there are still numerous cases of New Yorkers testing positive for COVID-19. The Centers for Disease Control has confirmed that COVID-19 seems to spread easily and sustainably in communities in affected areas. Given the public health implications related to COVID-19, it is essential that cost-sharing not serve as a barrier to testing for COVID-19.

This amendment prohibits authorized insurers and health maintenance organizations (collectively, “health care plans”) that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19 and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law.

The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.
The Department of Financial Services ("Department") expects every health care plan to reimburse a provider, including the insured's waived copayment, coinsurance, or annual deductible, with respect to any impacted claims.

Given the public health implications related to COVID-19, it is essential that COVID-19 be diagnosed as a baseline for testing for COVID-19. The waiver of copayments, coinsurance, and annual deductibles is necessary to ensure that people are not deterred from seeing a provider and getting tested for COVID-19. Failure to do so could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

4. Costs: Health care plans may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates and the will need to provide written notification to in-network providers regarding this amendment. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

Providers and local governments should not incur additional paperwork to comply with this amendment.

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

6. Paperwork: Health care plans are required to provide written notification to their in-network providers that the providers may not collect any deductible, copayment, coinsurance, or annual deductible for covered in-network laboratory tests to diagnose COVID-19. This notification may be provided electronically as part of existing communications that occur between health care plans and in-network providers. Health care plans may also need to file new policy and contract forms and rates with the Superintendent.

7. Duplication: This amendment does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

8. Alternatives: There are no significant alternatives to consider.

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

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

Regulatory Flexibility Analysis
1. Effect of rule: This rule affects health maintenance organizations and authorized insurers, respectively, "health care plans" and health care providers ("providers"). This amendment prohibits health care plans that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19, and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

Industry asserts that certain health care plans subject to the amendment are small businesses. Providers also may be small businesses. As a result, certain health care plans and providers that are small businesses will be affected by this amendment.

This amendment does not affect local governments.

2. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government.

A health care plan that is a small business affected by this amendment, if any, may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment at any time, and including at the time services are provided.

3. Paperwork: No local government need professional services to comply with this amendment because the amendment does not apply to any local government. No health care plan or provider that is a small business affected by this amendment should need to retain professional services, such as lawyers or auditors, to comply with this amendment.

4. Compliance costs: No local government will incur any costs to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may incur costs because it may need to file new policy and contract forms and rates and the will need to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider that is a small business may incur additional costs to comply with the amendment, which may include costs to ensure that the insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed at any time, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

5. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment. A health care plan and a provider that is a small business should not incur any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the amendment does not apply to any local government. This amendment should not have an adverse impact on a health care plan or provider that is a small business affected by the amendment, if any, because the amendment uniformly affects all health care plans and providers. In addition, a provider that is a small business should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims from the health care plan directly.

7. Small business and local government participation: The Department of Financial Services ("Department") will be required to notify trade associations representing health care plans that are small businesses before it promulgated this amendment and considered comments it received from these associations. The Department also notified trade associations representing providers that are small businesses that it intended to promulgate this amendment and considered comments it received from these associations.

Health care plans and providers that are small businesses also will have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department’s website.

Rural Area Flexibility Analysis
1. Coverage and rates: There are no significant differences of rural areas: Authorized insurers and health maintenance organizations (collectively, "health care plans") and health care providers ("providers") are affected by this amendment operate in rural and urban areas and will be subject to the same requirements as the health care plan may need to file new policy and contract forms and rates with the Superintendent and will be required to provide written notification of the amendment to its in-network providers. A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment at any time, including at the time services are provided.
3. Costs: Health care plans and providers, including those in rural areas, may incur additional costs to comply with the amendment. A health care plan may incur additional compliance costs as it may need to file new policy and contract forms and rates with the Department and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider, including those in rural areas, may incur additional costs to comply with the amendment. Those additional costs may include costs to ensure that the insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed at any time, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured’s copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

4. Minimizing adverse impact: This amendment uniformly affects health care plans and providers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department contacted trade associations representing health care plans that are in rural areas before it promulgated this amendment and considered comments it received from these associations. The Department also notified trade associations representing providers in rural areas that it intended to promulgate this amendment and considered comments it received from these associations. Health care plans and providers in rural areas will also have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department’s website.

**Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment prohibits policies and contracts of hospital, surgical, or medical expense insurance from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, and annual deductibles for covered in-network laboratory tests to diagnose the novel coronavirus (“COVID-19”) and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network health care provider’s office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. As a result, there should be no impact on jobs or employment opportunities.

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**Department of Health**

**NOTICE OF ADOPTION**

Communicable Diseases Reporting and Control - Adding Severe or Novel Coronavirus

L.D. No.  HLT-08-20-00001-A  
Filing No.  398  
Filing Date:  2020-06-11  
Effective Date:  2020-07-01

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

**Action taken:** Amendment of sections 2.1 and 2.5 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 225

**Subject:** Communicable Diseases Reporting and Control - Adding Severe or Novel Coronavirus.

**Purpose:** To require physicians, hospitals, nursing homes, D&TCs and clinical laboratories to report instances of severe or novel coronavirus.

**Text of final rule:** Subdivision (a) of Section 2.1 is amended to read as follows:

(a) When used in the Public Health Law and in this Chapter, the term infectious, contagious or communicable disease, shall be held to include the following diseases and any other disease which the commissioner, in the reasonable exercise of his or her medical judgment, determines to be communicable, rapidly emergent or a significant threat to public health, provided that the disease which is added to this list solely by the commissioner’s authority shall remain on the list only if confirmed by the Public Health and Health Planning Council at its next scheduled meeting:

<table>
<thead>
<tr>
<th>Disease/Condition</th>
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</thead>
<tbody>
<tr>
<td>Amebiasis</td>
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<tr>
<td>Anthrax</td>
</tr>
<tr>
<td>Arboviral infection</td>
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<tr>
<td>Babesiosis</td>
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<tr>
<td>Botulism</td>
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<tr>
<td>Brucellosis</td>
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<tr>
<td>Campylobacteriosis</td>
</tr>
<tr>
<td>Chancroid</td>
</tr>
<tr>
<td>Chlamydia trachomatis infection</td>
</tr>
<tr>
<td>Cholera</td>
</tr>
<tr>
<td>Cryptosporidiosis</td>
</tr>
<tr>
<td>Cyclosporiasis</td>
</tr>
<tr>
<td>Diphtheria</td>
</tr>
<tr>
<td>E. coli O157:H7 infections</td>
</tr>
<tr>
<td>Ehrlichiosis</td>
</tr>
<tr>
<td>Encephalitis</td>
</tr>
<tr>
<td>Giardiasis</td>
</tr>
<tr>
<td>Glanders</td>
</tr>
<tr>
<td>Gonococcal infection</td>
</tr>
<tr>
<td>Group A Streptococcal invasive disease</td>
</tr>
<tr>
<td>Group B Streptococcal invasive disease</td>
</tr>
<tr>
<td>Hantavirus disease</td>
</tr>
<tr>
<td>Hemolytic uremic syndrome</td>
</tr>
<tr>
<td>Hemophilus influenzae (invasive disease)</td>
</tr>
<tr>
<td>Hepatitis (A; B; C)</td>
</tr>
<tr>
<td>Herpes infection in infants aged 60 days or younger (neonatal)</td>
</tr>
<tr>
<td>Hospital-associated infections (as defined in section 2.2 of this Part)</td>
</tr>
<tr>
<td>Influenza (laboratory-confirmed)</td>
</tr>
<tr>
<td>Legionellosis</td>
</tr>
<tr>
<td>Listeriosis</td>
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<tr>
<td>Lyme disease</td>
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<tr>
<td>Lymphogranuloma venereum</td>
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<tr>
<td>Malaria</td>
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<tr>
<td>Measles</td>
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<tr>
<td>Melioidosis</td>
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<tr>
<td>Meningitis</td>
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<tr>
<td>Aseptic</td>
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<tr>
<td>Hemophilus</td>
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<tr>
<td>Meningococcal</td>
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<tr>
<td>Other (specify type)</td>
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<tr>
<td>Meningococcemia</td>
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<tr>
<td>Monkeypox</td>
</tr>
<tr>
<td>Mumps</td>
</tr>
<tr>
<td>Pertussis (whooping cough)</td>
</tr>
<tr>
<td>Plague</td>
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<tr>
<td>Poliomyelitis</td>
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<tr>
<td>Psittacosis</td>
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<tr>
<td>Q Fever</td>
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<tr>
<td>Rabies</td>
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<tr>
<td>Rocky Mountain spotted fever</td>
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<tr>
<td>Rubella</td>
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<tr>
<td>Congenital rubella syndrome</td>
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<tr>
<td>Salmonellosis</td>
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<tr>
<td>[Severe Acute Respiratory Syndrome (SARS)]</td>
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<tr>
<td>Severe or novel coronavirus</td>
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<tr>
<td>Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), including Pediatric Multi-system Inflammatory Syndrome, or any other complication suspected of being associated with SARS-CoV-2 infection</td>
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<tr>
<td>Severe Acute Respiratory Syndrome (SARS)</td>
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<tr>
<td>Middle East Respiratory Syndrome (MERS)</td>
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<tr>
<td>Other (specify type)</td>
</tr>
<tr>
<td>Shigellosis</td>
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<tr>
<td>Smallpox</td>
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<tr>
<td>Staphylococcus enterotoxin B poisoning</td>
</tr>
<tr>
<td>Streptococcus pneumoniae invasive disease</td>
</tr>
<tr>
<td>Syphilis, specify stage</td>
</tr>
<tr>
<td>Tetanus</td>
</tr>
<tr>
<td>Toxic Shock Syndrome</td>
</tr>
<tr>
<td>Trichinosis</td>
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<tr>
<td>Tuberculosis, current disease (specify site)</td>
</tr>
<tr>
<td>Tularemia</td>
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<tr>
<td>Typhoid</td>
</tr>
<tr>
<td>Vaccinia disease (as defined in section 2.2 of this Part)</td>
</tr>
<tr>
<td>Viral hemorrhagic fever</td>
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<tr>
<td>Yersiniosis</td>
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</tbody>
</table>

Section 2.5 is amended to read as follows:

2.5. Physician to submit specimens for laboratory examination in cases or suspected cases of certain communicable diseases. A physician in attendance on a person affected with or suspected of being affected with any of
the diseases mentioned in this section shall submit to an approved labora-
tory, or to the laboratory of the State Department of Health, for examina-
tion of such specimens as may be designated by the State Commissioner of
Health, together with data concerning the history and clinical manifesta-
tions pertinent to the examination:

- Anthrax
- Babesiosis
- Botulism
- Brucellosis
- Campylobacteriosis
- Chlamydia trachomatis infection
- Cholera
- Congenital rubella syndrome
- Conjunctivitis, purulent, of the newborn (28 days of age or less)
- Cryptosporidiosis
- Cyclosporiasis
- Diptheria
- E. coli 0157:H7 infections
- Ehrlichiosis
- Giardiasis
- Glanders
- Gonococcal infection
- Group A Streptococcal invasive disease
- Group B Streptococcal invasive disease
- Hantavirus disease
- Hemophilus influenzae (invasive disease)
- Hemolytic uremic syndrome
- Hepatitis infection in infants aged 60 days or younger (neonatal)
- Legionellosis
- Listeriallosis
- Malaria
- Meliodosis
- Meningitis
- Hemophilus
- Meningococcal
- Meningococcosis
- Monkeypox
- Plague
- Poliomyelitis
- Q Fever
- Rabies
- Rocky Mountain spotted fever
- Salmonellosis

[Severe Acute Respiratory Syndrome (SARS)]
- Severe or novel coronavirus

Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), including Pediatric Multi-system Inflammatory Syndrome, or any other complication suspected of being associated with SARS-CoV-2 infection

Severe Acute Respiratory Syndrome (SARS)

Middle East Respiratory Syndrome (MERS)

Other (specify type)

- Shigellosis
- Smallpox
- Staphylococcal enterotoxin B poisoning
- Streptococcus pneumoniae invasive
- Syphilis
- Tuberculosis
- Tularemia
- Typhoid
- Viral hemorrhagic fever
- Yellow Fever
- Yersiniosis

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 2.1(a) and 2.5.

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

Revised Regulatory Impact Statement

Statutory Authority:
- Executive Order No. 202, signed by Governor Cuomo on March 7, 2020, and continued by Executive Order No. 202.14, signed on April 7, 2020, modified Section 225 of the Public Health Law ("PHL") to authorize the Commissioner of Health (Commissioner) to promulgate regulations to establish and amend the State Sanitary Code, including those provisions relating to the designation of communicable diseases which are dangerous to public health, designation of diseases for which specimens shall be submitted for laboratory examination, and the nature of information required to be furnished by physicians in each case of communicable disease.

Legislative Objectives:
- The legislative objective of PHL § 225 is, in part, to protect the public health by designating communicable diseases, thereby permitting enhanced disease monitoring and authorizing isolation and quarantine measures, if necessary, to prevent further transmission.

Needs and Benefits:
- The 2019 Coronavirus (COVID-19) is a disease that causes mild to severe respiratory symptoms, including fever, cough, and difficulty breathing. People infected with Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), which is the virus that causes COVID-19, have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a hospital and can be fatal. According to Johns Hopkins’ Coronavirus Resource Center, to date, there have been over 3.6 million cases and 258,085 deaths worldwide, with a disproportionate risk of severe illness for older adults and/or those who have serious underlying medical health conditions.

COVID-19 was found to be the cause of an outbreak of illness in Wuhan, Hubei Province, China in December 2019. Since then, the situation has rapidly evolved throughout the world, with many countries, including the United States, quickly progressing from the identification of travel-associated cases to person-to-person transmission among close contacts of travel-associated cases, and finally to widespread community transmission of COVID-19.

On January 30, 2020, the World Health Organization (WHO) designated the COVID-19 outbreak as a Public Health Emergency of International Concern. On a national level, the Secretary of Health and Human Services determined on January 31, 2020 that as a result of confirmed cases of COVID-19 in the United States, a public health emergency existed and had existed since January 27, 2020, nationwide. Subsequently, on March 13, 2020, President Donald J. Trump declared a national emergency in response to COVID-19, pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

On February 1, 2020, the New York State Commissioner of Health determined that SARS-CoV-2 is communicable, rapidly emergent and a significant threat to the public health and designated it as a communicable disease under 10 NYCRR Section 2.1. On February 6, 2020, the New York State Health and Health Planning Council (PHHPC) adopted emergency regulations, which confirmed the Commissioner’s designation by adding “severe or novel coronavirus” to the reportable disease list in Part 2. This amendment also permits the Department of Health (Department) to systematically monitor for the disease and permit decisions about isolation or quarantine of suspect or confirmed cases to be made on a timely basis. Additionally, this regulation makes it possible for the Department to monitor and respond to other severe or novel coronavirus cases that may arise, including Middle East Respiratory Syndrome (MERS).

Because these emergency regulations were first adopted by PHHPC, New York State has rapidly become the national epicenter of the outbreak. Case were first identified in New York State on March 1, 2020. On March 7, 2020, with widespread transmission rapidly increasing within certain areas of the state, Governor Andrew M. Cuomo issued an Executive Order declaring a state disaster emergency to aid state and local governments in countering the threat COVID-19 poses to the health and welfare of New York State residents and visitors. With 321,192 confirmed cases and 19,645 deaths, New York State continues to be the most impacted state in the nation.

Based on the foregoing, and pursuant to the Executive Order issued on March 7, 2020, which permits the Commissioner to promulgate regulations to amend the State Sanitary Code, the Department has made the determination that it is necessary to adopt this regulation.

Costs:
- Costs to Local or State Governments: As COVID-19 is a newly emerging disease, it is not possible to accurately predict the extent of the outbreak or potential costs. It is imperative to public health, however, that COVID-19 cases be reported immediately and investigated thoroughly to curtail additional exposure and potential morbidity and mortality. The costs associated with implementing the reporting of this disease are lessened as reporting processes and forms already exist. Hospitals, practitioners and clinical laboratories are accustomed to reporting communicable disease to public health authorities.
- Costs to Local or State Governments: As COVID-19 is a newly emerging disease, it is not possible to accurately predict the extent of the outbreak or potential costs.
However, by potentially decreasing the spread of COVID-19, this regulation may reduce costs associated with public health control activities, morbidity, treatment and premature death.

Costs to the Department of Health:
As COVID-19 is a newly emerging disease, it is not possible to accurately predict the extent of the outbreak or potential costs. Costs to the Department associated with assisting local health departments investigating and implementing control strategies to curtail the spread of COVID-19, however, could be significant.

Papework:
The existing general communicable disease reporting form (DOH-389) will be revised. This form is familiar to and is already used by regulated parties.

Local Government Mandates:
Under Part 2 of the State Sanitary Code (10 NYCRR Part 2), the city, county or district health officer receiving reports from physicians in attendance on persons with or suspected of being affected with COVID-19, will be required to immediately forward such reports to the State Health Commissioner and to investigate and monitor the cases reported.

Duplication:
There is no duplication of this initiative in existing State or federal law.

Alternatives:
No other alternatives are available, because reporting of cases of COVID-19 is of critical importance to public health. There is an urgent need to conduct surveillance, identify human cases in a timely manner, and reduce the potential for further exposure to contacts.

Federal Standards:
Currently there are no federal standards requiring the reporting of COVID-19.

Compliance Schedule:
Reporting of 2019-nCoV is currently mandated, pursuant to the authority vested in the Commissioner of Health by 10 NYCRR Section 2.1(a).

This mandate will be made permanent by publication of a Notice of Adoption of this regulation in the New York State Register.

Revised Regulatory Flexibility Analysis
Effect on Small Business and Local Government:
This rule will apply to physicians, hospitals, nursing homes, diagnostic and treatment centers and clinical laboratories. There are approximately 76,500 licensed and registered physicians in New York State; it is not known how many of them practice in small businesses. Five hospitals, 130 nursing homes, 311 diagnostic and treatment centers, and 150 clinical laboratories employ less than 100 persons and qualify as small businesses.

Implementation will require reporting of COVID-19 in all 57 counties of the State outside of New York City. New York City has already adopted regulations identifying severe or novel coronavirus as a reportable, communicable disease.

Compliance Requirements:
Hospitals, clinics, physicians, nursing homes, and clinical laboratories that are small businesses and local governments will utilize revised Department of Health reporting forms and existing laboratory referral forms.

Local health officers receiving reports from physicians in attendance on persons with or suspected of being affected with COVID-19, will be required to immediately forward such reports to the State Health Commissioner and to investigate and monitor the cases reported. Local health officers also need to isolate or quarantine individuals to stop the spread of disease.

Professional Services:
No additional professional services will be required since providers are expected to be able to utilize existing staff to report occurrences of COVID-19 and to order laboratory tests.

Compliance Costs:
No initial capital costs of compliance are anticipated. Annual compliance costs will depend upon the number of COVID-19 cases. The reporting of COVID-19 should have a negligible to modest effect on the estimated cost of disease reporting by hospitals, but the exact cost cannot be estimated. The cost would be less for physicians and other small businesses.

As COVID-19 is a newly emerging disease, it is not possible to accurately predict the extent of the outbreak or potential costs for local governments. Costs to local governments associated with investigating and implementing control strategies to curtail the spread of COVID-19, however, could be significant. Control efforts have included and may continue to include isolation and quarantine. These intensive efforts are critical to minimize the spread of this disease.

However, by potentially decreasing the spread of COVID-19, this regulation may reduce costs associated with public health control activities, morbidity, treatment and premature death.

Economic and Technological Feasibility:
There are no economic or technological impediments to the rule changes.

Minimizing Adverse Impact:
There are no alternatives to the reporting requirement. Adverse impacts have been minimized since revised forms and reporting staff will be utilized by regulated parties. Electronic reporting will save time and expense.

Small Business and Local Government Participation:
Local governments have been consulted in the process through ongoing communication on this issue with local health departments and the New York State Association of County Health Officers (NYSACHO).

Revised Rural Area Flexibility Analysis
Types and Estimated Numbers of Rural Areas:
This rule applies uniformly throughout the state, including rural areas. Rural areas are defined as counties with a population less than 200,000 and counties with a population of 200,000 or greater that have towns with population densities of 150 persons or fewer per square mile. The following 43 counties have a population of less than 200,000 based upon the United States Census estimated county populations for 2010 (https://www.census.gov/quickfacts/).

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

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

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

Compliance Requirements:
Hospitals, clinics, physicians, nursing homes, and clinical laboratories that are located in rural areas will utilize revised Department of Health reporting forms and existing laboratory referral forms.

Local health officers in rural areas receiving reports from physicians in attendance on persons with or suspected of being affected with COVID-19, will be required to immediately forward such reports to the State Health Commissioner and to investigate and monitor the cases reported. Local health officers also need to isolate or quarantine individuals to stop the spread of disease.

Professional Services:
No additional professional services will be required. Rural providers are expected to use existing staff to comply with the requirements of this regulation.

Compliance Costs:
No initial capital costs of compliance are anticipated. Annual compliance costs will depend upon the number of COVID-19 cases. The reporting of COVID-19 should have a negligible to modest effect on the estimated cost of disease reporting by hospitals in rural areas, but the exact cost cannot be estimated. The cost would be less for physicians and other small businesses.

As COVID-19 is a newly emerging disease, it is not possible to accurately predict the extent of the outbreak or potential costs for local governments in rural areas. Costs to local governments associated with investigating and implementing control strategies to curtail the spread of COVID-19, however, could be significant. Control efforts have included and may continue to include isolation and quarantine. These intensive efforts are critical to minimize the spread of this disease.
Division of Housing and Community Renewal

EMERGENCY/PROPOSED RULE MAKING

HEARING(S) SCHEDULED

Schedule of Reasonable Costs for Major Capital Improvements in Rent Regulated Housing Accommodations

L.D. No. HCR-26-20-00012-EP
Filing No. 400
Filing Date: 2020-06-16
Effective Date: 2020-06-16

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

Proposed Action: Addition of sections 2102.11, 2202.28, 2502.10 and 2522.11 to Title 9 NYCRR.


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

Specific reasons underlying the finding of necessity: On June 14, 2019, the law which is commonly known as the “Housing Stability and Tenant Protection Act of 2019” or “HSTPA” (Ch. 36 of the Laws of 2019) was enacted. On June 25, 2019, change amendments were enacted, commonly referred to as the “Clean-up Legislation” (Part Q, Ch. 39 of the Laws of 2019). The Legislature has determined that, because of a serious public emergency, the regulation of residential rents and evictions is necessary to prevent the exaction of unreasonable rents and rent increases and to forestall other disruptive practices that would produce threats to public health, safety and general welfare. HSTPA serves to reform and strengthen the rent laws and provide greater protection for tenants. As relevant herein, section K of HSTPA as amended by the Clean Up Legislation modified the requirements landlords must meet to receive rent increases based on major capital improvements and individual apartment improvements. The legislation mandated that the Division of Housing and Community Renewal (“DHCR”) promulgate rules and regulations applicable to all rent regulated units that, among other things and as is relevant to this proposed rule, establish a schedule of reasonable costs for major capital improvements which sets a cap on the costs that can be recovered through a temporary major capital improvement increase, based on the type of improvement and its rate of depreciation. The Clean-up Legislation directed the amendment and/or repeal of any rule or regulation necessary for the implementation of HSTPA on and after June 14, 2019 to be made immediately and completed on or before June 14, 2020, provided, however, that in the absence of such rules and regulations, DHCR shall immediately commence and continue implementation of all provisions of HSTPA. Consequently, the proposed rulemaking is immediately necessary to conform with the statutory amendments and to provide the public with the necessary rules to comply with the current legislation. For the aforementioned reasons, DHCR finds that immediate adoption of the rule is necessary for the preservation of the general welfare, and that compliance with the rulemaking procedures set forth in State Administrative Procedure Act section 202(1) would be contrary to the public interest.

Subject: Schedule of Reasonable Costs for Major Capital Improvements in rent regulated housing accommodations.

Purpose: Provide a schedule of reasonable costs for Major Capital Improvements in rent regulated housing accommodations.

Note: hearing may be canceled, re-scheduled or conducted remotely due COVID-19. Notice of any change shall be provided on the agency’s website.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Substance of emergency/proposed rule (Full text is posted at the following State website: https://hcr.ny.gov/regulatory-information): These regulations add Section 2522.11 of the Rent Stabilization Code, Section 2502.10 of the Tenant Protection Regulations, Section 2102.11 of the State Rent and Eviction Regulations and Section 2202.28 of the New York City Rent and Eviction Regulations (herein referred to as the regulations). The regulations establish a reasonable cost schedule for major capital improvements (MCI) and surrounding procedures for its implementation.

Subdivision (a) provides that the schedule will be set forth in an operational bulletin for three main categories: (1) major systems, (2) façade, parapet and roof, and (3) other systems.

Subdivision (b) provides that each class of MCI may list more detailed types of capital improvements inclusive of additional eligible cost.

Subdivision (c) provides that each MCI cost will be listed by an appropriate unit of measure.

Subdivision (d) notes that the maximum reasonable costs shall be based on DHCR’s survey of such rules and shall be published and made available in conjunction with the publication of the regulation.

Subdivision (e) provides there will be a review of the schedule every year.

Subdivision (f) sets forth: (1) the minimal owner requirements for submission and (2) notes that the MCI submission must meet all other regulatory requirements.

Subdivisions (g) and (h) set forth the process to seek a waiver of the schedule with categories for (1) non-landmarked buildings, (2) landmarked buildings, (3) work performed under the auspices of another government agency, and (4) emergency capital improvements. There are also interim rules in this subdivision for pending cases on waiver requests and time limits for making such an application.

Subdivisions (i) and (j) provide that the waiver procedures require expert engineering proof and bids with additional and alternative levels of proof where an owner claims emergency work.

Subdivision (k) provides that the denial of a waiver will limit the amount recoverable to that in the reasonable cost schedule, subject to all other MCI recoupment requirements.

Subdivision (l) notes the location of the DHCR operational bulletin on DHCR’s website.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire September 13, 2020.

Text of rule and any required statements and analyses may be obtained from: Michael Berrios, NYS Homes and Community Renewal, 92-31 Union Hall Street, Jamaica, NY 11435, (718) 262-4816, email: michael.berrios@nychcr.org

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

Public comment will be received until: Five days after the last scheduled public hearing.
Section 26-511(b) of the Administrative Code of the City of New York, ("Rent Stabilization Law" or "RSL") and RSL § 26-518(a) authorize the Division of Housing and Community Renewal ("DHCR") to amend the Rent Stabilization Code ("RSC"); the Emergency Tenant Protection Act of 1974 ("ETPA"), Laws of 1974, Ch. 576, section 10a authorizes DHCR to amend the Tenant Protection Regulations ("TPR"); the Omnibus Housing Act, Laws of 1983, Ch. 403, section 28, and section 26-405p(1) of the Administrative Code of the City of New York (also known as the "Code Rent and Rehabilitation Law" or "CRL") authorize DHCR to amend the City Rent and Eviction Regulations ("CER"); the Emergency Housing Rent Control Law ("RCL"), Laws of 1946, Chap 274, subdivision 4(a), as amended by the Laws of 1950, Chap. 250, as amended, by the Laws of 1964, Ch. 144, and DHCR to amend Eviction and Rent Stabilization Regulations ("SRER"); the Housing Stability and Tenant Protection Act of 2019, Ch.36 of the Laws of 2019 ("HSTPA"), Part K, further empowered and required DHCR to promulgate rules and regulations to implement and enforce all provisions of Part K, specifically as implemented herein, to establish a schedule of reasonable costs for major capital improvements ("MCI") that shall set a cap for what costs can be recovered through a temporary major capital improvement increase, based on the type of improvement and its rate of depreciation. As amended by Chapter 39 of the laws of 2019, with respect to the provisions of Part K, the amendment, amendment and/or repeal of any rule or regulation necessary for the implementation of this act (HSTPA) on and after June 14, 2019 are directed to be made immediately and completed on or before June 14, 2020 provided, however, that in the absence of such rules and regulations, the division shall immediately commence and continue implementation of all provisions of this act.

2. LEGISLATIVE OBJECTIVES

The overall legislative objectives are contained in Sections 26-501 and 26-502 of the RSL, Section 2 of the ETAP, section 8§85(1)(1) of the RCL and section 26-401(a) of the CRRL. The Legislature has determined that, because of a serious public emergency, the regulation of residential rents and evictions is necessary to prevent the exaction of unreasonable rents and rent increases and to forestall other disruptive practices that would produce threats to public health, safety and general welfare. Each legislation also had an objective to ensure that any transition from regulation to normal market bargaining with respect to such landlords and tenants is administered with due regard to these emergency conditions.

3. NEEDS AND BENEFITS

DHCR has engaged in this amendment process with respect to these regulations to implement the Legislature’s directive regarding the establishment of a schedule of reasonable costs for major capital improvements. As more fully explained in other required documents submitted herewith, DHCR’s use of this emergency regulatory process: (1) is consistent with the statutory time limits for the implementation of HSTPA; (2) reduces the uncertainty caused by having no rule, given the necessity of continued MCI processing required by law; (3) gives all regulated parties the benefit of their substance and procedures at the earliest opportunity; and (4) preserves the opportunity for notice and comment to act in a manner consistent with the directory time limits for implementation of HSTPA Part K.

In light of the requirements of HSTPA Part K, DHCR has been resolving the reasonability of costs solely on a case by case basis where credible allegations regarding costs have been raised in the context of each individual MCI application. Articulated standards, even on an interim basis while final regulations are further framed through the full SAPA process, will be an obvious help to all regulated parties.

4. COSTS

The regulated parties are residential tenants and the owners of the rent regulated accommodations in which such tenants reside. There are no additional direct costs imposed on tenants or owners by these amendments. The amended regulations do not impose any new program, service, duty or responsibility upon any state agency or instrumentality thereof, or local government. In the matter of any additional costs are less based on the regulatory choices made by DHCR in implementation of this statutory directive but on this statutory directive itself, which is an added overlay on the pre-existing Major Capital Improvement process. These additional costs need to be weighed against the already significant outlay by owners and the rent impact on tenants, as well as DHCR’s responsibility leading to supervision, monitor, and make the major capital improvement process more transparent.

Owners of regulated housing accommodations voluntarily apply for an MCI rent increase within two years after finishing an MCI. Going forward, the owners of regulated housing accommodations who seek to receive an MCI rent increase, will need to be more vigilant to assure their compliance with these changes to the regulations and in their selection of pricing for major capital improvements. Compliance costs are already a generally accepted expense of any regulated housing. Costs may be associated with conforming present business practices to this change in processing standards in that owners will often need to ensure that in contracting for major capital improvements that the costs do not exceed the schedule of reasonable costs or request a waiver of the costs based on the good cause alternative procedures set forth in these regulations. DHCR has worked with experts in the field and reviewed historical data in an effort to assure that the schedule is reflective of the actual, reasonable costs for the major capital improvements. The owners of regulated properties are expected to make a good faith attempt to inflate the costs of major capital improvements will be largely unaffected by the regulation. Moreover, the cost related to compliance in seeking to pay no more than reasonable costs are expenses that are consistent with good business practices of exercising due diligence to obtain a quality product and installation at a competitive price. Thus, even for applications pending before DHCR’s rent administrator on the effective date of these regulations where the owner decides to seek a waiver the documentation required for that process is consistent with the business records an owner would maintain to justify paying the contract price in the first instance.

Tenants will largely not incur any additional costs through implementation of the proposed regulations and may incur less costs based on the ceiling for recovery of costs of major capital improvements.

5. LOCAL GOVERNMENT MANDATES

There may be more significant paperwork required from an owner associating with any new program, service, duty or responsibility upon any level of local government.

6. PAPERWORK

The amendments may, in a limited fashion, increase the paperwork burden. There may be additional required documentation to establish compliance with the requirements of this amendment. The required paperwork is not unique to this amendment and there are instances where a rent regulated property may also participate in other programs or regulations.

7. DUPLICATION

The amendments do not add any provisions that duplicate any known State or Federal requirements, nor any known City requirements. New York City, in the context of its J-51 program has a reasonable cost schedule for improvements. However, the schedule has not been has not been the subject of an update contemporaneous with the passage of the HSTPA and is used to calculate a tax incentive rather than for actual compensation of the costs of an MCI installation. In short, J-51 reflects one of many instances where a rent regulated property may also participate in another State, City or Federal housing program. In those instances, there is usually a need to comply with the DHCR regulations as well as the mandates of that City, State or Federal program.

8. ALTERNATIVES

DHCR considered a number of alternative methodologies in creating this schedule. As each alternative had its respective strengths and weaknesses, DHCR reviewed all of them in creating its final work product. As with the J-51 program, DHCR did not start out by reviewing the HPD J-51 schedule. However, for the reasons stated above, it could not be the sole source for review. Even updating those costs by any standard projection or index would be prone to some inaccuracies. Therefore, DHCR retained an expert engineering firm selected through a competitive bid process to consult with the formulation of the reasonable cost schedule. DHCR also used its own staff with experience in MCI processing and its database of determinations as a source of data primarily to identify the types and categories of MCI

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applications. This work was augmented by construction management and its architecture and engineering staff, other state construction experts as well as certain data from the state affordable housing portfolio. DHCR did also examine the potential use of standardized industry accepted cost estimation software for new construction and reviewed information and input provided as well as listened to tenant and industry advocates and reviewing their submissions, a standard method of compliance indicated by a SAPA regulatory flexibility analysis.

DHCR determined that the reasonable cost schedule developed in conjunction with the outside consulting engineering firm and augmented by the other reviews undertaken gave the most informed and comprehensive reflection of costs. DHCR created as part of these regulations, the possibility of gauging reasonable costs for major capital improvements not contained in the cost schedule as well as alternative submissions, even for those on the schedule, where it can be established that such an individualized project assessment is still necessary and appropriate. The experience of the outside consulting engineering firm and DHCR’s own affordable housing and its rehabilitation staff concurred with that assessment of the costs.

As noted previously, the use of an individualized process where appropriate mirrors DHCR procedure in implementing useful life/ depreciation schedule already part of DHCR’s regulations and the safeguards to obtain reasonable costs reflect a competitive bidding procedures patterned after that used by DHCR in its Mitchell Lama portfolio. Moreover, it almost goes without saying, that the present COVID-19 pandemic has created a level of uncertainty in the construction industry that makes reliance on historical data and projections by themselves, without acknowledging the possibility of the need for other alternatives, problematic.

DHCR of course welcomes this immediate and broader test of its assessments through notice and comment period as required for the regulations’ promulgation as a final rule but with implementation of this necessary provision of the statute in place, while that process is ongoing.

9. FEDERAL STANDARDS
The proposed amendments do not exceed any known minimum Federal standards.

10. COMPLIANCE SCHEDULE
It is anticipated that for pending cases, regulated parties may require additional time to comply with the proposed rules. Where such time is necessary it will be reasonably provided in the context of these pending proceedings. As these new regulations will not be applied to cases which on their effective date have already been issued by the Rent Admin for but are on appeal, (whether in Appellate Courts, Supreme Court or PAR) the need for more complex compliance periods should be reduced significantly.

Regulatory Flexibility Analysis
1. EFFECT OF RULE
The Rent Stabilization Code (“RSC”) and the City Rent and Eviction Regulations (“CRER”) apply only to rent stabilized or rent controlled housing units in New York City. The Emergency Tenant Protection Regulations (“TPR”) and the State Rent and Eviction Regulations (“SERR”) apply only to rent stabilized or rent controlled housing units located in those communities outside of New York City that are subject to the Emergency Tenant Protection Act or the Emergency Housing Rent Control Law. The class of small businesses affected by these proposed amendments will be small property owners, who own limited numbers of rent regulated units. DHCR has sought to provide alternative and tailor methods of compliance with the requirements to provide options to small businesses to limit any additional regulatory burden. These amendments are expected to have no impact on local governments.

2. COMPLIANCE REQUIREMENTS
The proposed amendments would require small businesses that own regulated residential housing units to perform some minimal additional recordkeeping and may require additional reporting if an owner seeks a waiver of the schedule. Such businesses will continue to need to keep documentation of renovations performed and establish that improvement costs align with the reasonable cost schedule or the reasons it does not. However, such additional compliance requirements are in keeping with the kind of due diligence an owner would ordinarily take in the absence of any such regulation to assure it gets the best quality work at a competitive price.

3. PROFESSIONAL SERVICES
The proposed amendments may require small businesses to obtain new or additional professional services in the form of architecture or engineering services if it seeks a waiver, but such services are often already used with respect to a contested MCI application. Further, the regulation will require a review of costs for major capital improvements when contracting for the services to be in comply with the reasonable cost schedule.

4. COMPLIANCE COSTS
There is no indication that the proposed amendments will impose significant costs upon small businesses or upon the local government anticipated by the passage of the HSTPA.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY
Compliance is not anticipated to require any unusual, new, or burdensome technological applications.

6. MINIMIZING ADVERSE IMPACT
The proposed regulations have no adverse impact on local government. They may have some minimal costs to businesses which must be weighed against that the rule is required by statute and necessary to enforce statutes designed to protect the public health safety and welfare. The regulations do not create different regulatory standards for small businesses. It is difficult, on a blanket regulatory basis, to make exceptions for small businesses, but the regulation does allow small businesses to use exceptions available to owners under certain circumstances. Outside of the administrative proceedings themselves where these applications are made on a building by building or complex-wide basis, it is difficult to ascertain the size of the businesses subject to these regulations as a single business may own multiple properties with each applicant often created as a single asset corporation. To the extent the approaches suggested in SAPA section 202-b are appropriate, present procedures take these into account.

7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION
The rent laws and regulations empower DHCR to enforce the law and determine allowances for building improvements. These regulations apply to a specific situation regarding reasonable costs for certain building improvements. Meetings have been held with both business owners and affected tenant interest groups.

In addition, all interested parties will have an opportunity to comment as part of this SAPA process and all issues raised by concerned parties will be carefully reviewed and considered by DHCR prior to final promulgation. This process will include public hearings and a review by the New York City Department of Housing Preservation and Development as required by law prior to its final adoption.

Rural Area Flexibility Analysis
The proposed rules will not impose any reporting, recordkeeping, or other compliance requirements on public or private entities located in any rural area pursuant to Subdivision 10 of SAPA Section 102.

Job Impact Statement
The rule is required by and implements a statutory amendment. There will be no adverse impact on jobs and employment opportunities by the promulgation of these regulations as it replaces what was a case by case implementation of these statutory requirements.

Public Service Commission

EMERGENCY/PROPOSED RULE MAKING

NO HEARING(S) SCHEDULED

Postponement of a Rate Increase

L.D. No. PSC-26-20-00004-EP
Filing Date: 2020-06-11
Effective Date: 2020-06-11

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

Proposed Action: The Commission adopted an order on June 11, 2020 postponing Central Hudson Gas & Electric Corporation’s approved electric delivery rate increases, scheduled to take effect on July 1, 2020.

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

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

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

**Subject:** Postponement of a rate increase.

**Purpose:** To assist customers in a time of hardship.

**Substance of emergency/proposed rule:** The Public Service Commission is considering a petition filed on May 27, 2020 by Central Hudson Gas & Electric Corporation (Central Hudson or Company).

Given the potential for widespread financial hardships related to the COVID-19 pandemic and in order to assist customers, the petition requests a three-month postponement for Central Hudson’s approved electric delivery rate increases, scheduled to take effect on July 1, 2020, pursuant to its current three-year rate plan.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov.

The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

**This notice is intended:** To serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire September 8, 2020.

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

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

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

**Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement:** Statements and analyses are not submitted with this notice because the amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

EMERGENCY/PROPOSED RULE MAKING

NO HEARING(S) SCHEDULED

Postponement of a Rate Increase

I.D. No. PSC-26-20-00005-EP

Filing Date: 2020-06-11

Effective Date: 2020-06-11

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

**Proposed Action:** The Commission adopted an order on June 11, 2020, postponing Central Hudson Gas & Electric Corporation’s approved gas delivery rate increases, scheduled to take effect on July 1, 2020.

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

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

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

**Subject:** Postponement of a rate increase.

**Purpose:** To protect the health, safety and general welfare of low-income customers during the summer months.

**Specific reasons underlying the finding of necessity:** The City of New York seeks Commission approval for short-term emergency financial relief for all electric customers enrolled in the low-income bill discount program offered by Consolidated Edison Company of New York, Inc. over the four-month summer period based on its concern that the combination of coronavirus prevention measures and the high summer temperatures could potentially exacerbate heat-related illnesses and fatalities among low-income customers. The emergency relief is intended to offset the electricity cost of operating air conditioning during periods of high temperatures this summer. Absent immediate Commission action, the low-income bill discount program customers would not receive the emergency financial relief during the summer months and, therefore, may not have the financial means to operate air conditioning during periods of high temperatures. In order to protect the health, safety and general welfare of this vulnerable population, this action cannot wait for the 60-day comment period to expire.

**Subject:** Emergency financial relief.

**Purpose:** To protect the health, safety and general welfare of low-income customers during the summer months.

**Substance of emergency/proposed rule:** The Public Service Commission is considering a petition (Petition) filed on May 11, 2020, by the City of New York (City) requesting temporary emergency ratepayer-funded financial relief for electric customers who are enrolled in the low-income bill discount program offered by Consolidated Edison Company of New York, Inc. (Con Edison). The Petition seeks to provide these customers with a $40 monthly bill credit to offset the electricity expense charged for operating air conditioning during the summer months of June through September due to the anticipated limited availability of public facilities as a result of the ongoing social distancing measures implemented in response to the novel coronavirus (COVID-19) pandemic. When applied to the current electric low-income bill discount program population of...
The City recommends that the Commission allow Con Edison to defer the costs incurred to provide the requested bill relief until the economy has recovered from the COVID-19 pandemic.

This emergency relief measure is necessary, according to the City, to protect the health, safety and general welfare of low-income customers, a population that the Petition notes has been disproportionately impacted by the COVID-19 pandemic and has historically been disproportionately impacted by high temperature days. Additionally, the City asserts that the emergency relief would remove any financial obstacles that may prevent the low-income customers from using air conditioners and, therefore, would make it easier for these customers to stay in their private homes and avoid public areas where they would be most at risk of being exposed by COVID-19.

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

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire September 8, 2020.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

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

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

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

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

(20-M-0231EP1)

NOTICE OF ADOPTION

Petition for Rehearing and Implementation of the Proposed Community Credit

I.D. No. PSC-32-19-00008-A
Filing Date: 2020-06-12
Effective Date: 2020-06-12

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

Action taken: On 6/11/20, the PSC adopted an order granting the Coalition for Community Solar Access (CCSA) and the New York Solar Energy Industries Association’s (NYSEIA) petition for rehearing and directed electric utilities to implement the Proposed Community Credit.

Statutory authority: Public Service Law, sections 5(1)(b), (2), 22, 65(1), (2), (3), 66(2) and (5)

Subject: Petition for rehearing and implementation of the Proposed Community Credit.

Purpose: To grant CCSA and NYSEIA’s petition for rehearing and implementation of the Proposed Community Credit.

Text or summary was published in the August 7, 2019 issue of the Register, I.D. No. PSC-32-19-00008-P.

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

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

Assessment of Public Comment

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

(15-E-0751SA22)

NOTICE OF ADOPTION

Tariff Amendment
I.D. No. PSC-36-19-00009-A
Filing Date: 2020-06-15
Effective Date: 2020-06-15

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

Action taken: On 6/11/20, the PSC adopted an order directing the Village of Freeport (Freeport) to file a cancellation supplement canceling the currently suspended proposed tariff amendments.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Tariff amendment.

Purpose: To direct Freeport to cancel its currently suspended proposed tariff amendments.

Text or summary was published in the September 4, 2019 issue of the Register, I.D. No. PSC-36-19-00009-P.

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

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

Assessment of Public Comment

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

(19-E-0538SA1)

NOTICE OF ADOPTION

Initial Tariff Filing
I.D. No. PSC-39-19-00020-A
Filing Date: 2020-06-15
Effective Date: 2020-06-15

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

Action taken: On 6/11/20, the PSC adopted an order approving, with modifications, Eastdale Village Water-Works Corp.’s (Eastdale) initial tariff filing, P.S.C. No. 1—Water.

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

Subject: Initial tariff filing.

Purpose: To approve, with modifications, Eastdale’s initial tariff filing.

Substance of final rule: The Commission, on June 11, 2020, adopted an order approving, with modifications, Eastdale Village Water-Works Corp.’s (Eastdale) initial tariff filing, P.S.C. No. 1—Water. Eastdale is authorized to establish and file the approved initial tariff schedule, P.S.C. No. 1—Water, designed to collect annual revenues of $166,645, provided that the tariff revisions, consistent with the discussion in the body of the order and as shown in Appendix D, are filed on not less than five days’ notice, to become effective on July 1, 2020. Eastdale is directed to file Purchased Water Adjustment Statement No. 1, as shown in Appendix F, on not less than five days’ notice, to become effective July 1, 2020, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(19-W-0561SA1)
NOTICE OF ADOPTION

Petition for Rehearing

I.D. No. PSC-43-19-00015-A
Filing Date: 2020-06-12
Effective Date: 2020-06-12

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

Action taken: On 6/11/20, the PSC adopted an order approving Consolidated Edison of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc.’s (O&R) petition for rehearing to the extent to provide clarification.

Statutory authority: Public Service Law, sections 22, 65 and 66

Purpose: To approve Con Edison and O&R’s petition for rehearing.

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

Final rule was published in the October 23, 2019 issue of the Register, I.D. No. PSC-43-19-00015-P

NOTICE OF ADOPTION

Petition for Waiver

I.D. No. PSC-05-20-00006-A
Filing Date: 2020-06-15
Effective Date: 2020-06-15

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

Action taken: On 6/11/20, the PSC adopted an order approving The Brooklyn Union Gas Company d/b/a National Grid NY’s (National Grid) petition for a waiver of the requirement to complete the seven-year reassessment of its Clove Lake pipeline segment by December 31, 2019.

Statutory authority: Public Service Law, sections 65 and 66

Purpose: To approve National Grid’s waiver.

Final rule was published in the February 26, 2020 issue of the Register, I.D. No. PSC-05-20-00006-P

NOTICE OF ADOPTION

Petition for Use of Funds for Pipeline Safety Programs

I.D. No. PSC-08-20-00005-A
Filing Date: 2020-06-15
Effective Date: 2020-06-15

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

Action taken: On 6/11/20, the PSC adopted an order approving with modifications, in part, and denying, in part, Niagara Mohawk Power Corporation d/b/a National Grid’s (National Grid) petition for the use of funds for pipeline safety programs.

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

Purpose: To approve with modifications, in part, and deny, in part, National Grid’s petition for use of funds.

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

Final rule was published in the February 26, 2020 issue of the Register, I.D. No. PSC-08-20-00005-P

NOTICE OF ADOPTION

Transfer of Ownership Interests of a Transmission Line

I.D. No. PSC-11-20-00010-A
Filing Date: 2020-06-12
Effective Date: 2020-06-12

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

Action taken: On 6/11/20, the PSC adopted an order approving Flat Rock Windpower II LLC (Flat Rock) and PPM Roaring Brook LLC’s (Roaring Brook) petition to transfer partial ownership interests of a transmission line from Flat Rock to Roaring Brook.

Statutory authority: Public Service Law, sections 2(12), (13), 5(1)(b), 5-b, 64, 65, 66 and 70

Purpose: To approve Flat Rock and Roaring Brook’s petition to transfer partial ownership interests of a transmission line.

Final rule was published in the February 26, 2020 issue of the Register, I.D. No. PSC-11-20-00010-P

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-12-20-00012-A
Filing Date: 2020-06-15
Effective Date: 2020-06-15

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

Action taken: On 6/11/20, the PSC adopted an order approving New York State Electric & Gas Corporation’s (NYSEG) petition to transfer street lighting facilities located within the City of Ithaca to the City of Ithaca.

Statutory authority: Public Service Law, section 70-a
Subject: Transfer of street lighting facilities.
Purpose: To approve NYSEG’s petition to transfer street lighting facilities.
Text or summary was published in the March 25, 2020 issue of the Register.
I.D. No. PSC-12-20-00012-P

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

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

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

(20-E-0050SA1)

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Escrow Account Modification and One-Time Surcharge
I.D. No. PSC-26-20-00009-P

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

Proposed Action: The Public Service Commission is considering a petition filed by the River Road Water District seeking authorization to increase the maximum balance of its Escrow Account and the associated surcharge, and to implement a one-time surcharge.

Statutory authority: Public Service Law, sections 4(1), 5(1)(f), 89-c(1), (3), (10)(a), (b) and (f)

Subject: Escrow account modification and one-time surcharge.

Purpose: To determine whether the Company’s proposed changes to its Escrow Account and a one time surcharge is in the public interest.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on June 8, 2020 by the River Road Water District (the Company), requesting authorization to: (1) increase the maximum balance of its Escrow Account from $4,000 to $8,000; (2) increase the maximum surcharge of its Escrow Account from $50 semi-annually to $100 semi-annually; and (3) implement a one-time surcharge of $137.48 per customer to recover a repair expense of $1,100. The Company currently serves eight customers.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov. Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov.

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

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

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

(20-W-0269SP1)

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Waiver of Certain Commission Requirements Related to the Distribution of Telephone Directories
I.D. No. PSC-26-20-00010-P

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

Proposed Action: The Commission is considering a petition by State Telephone Company (State Tel) for a temporary waiver of 16 NYCRR 602.10(a) and (b) pertaining to the distribution of telephone directories.

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

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

Purpose: The waiver should be considered because directory publishing is temporarily not feasible due to the COVID-19 pandemic.

Substance of proposed rule: The Commission is considering a petition filed on June 9, 2020 by State Telephone Company (State Tel) for a temporary waiver of New York Code of Rules and Regulations, Title 16, Sections 602.10(a) and 602.10(b) pertaining to the distribution of telephone directories.

Presently, the Commission’s rules require State Tel to distribute a directory that contains the listings of local exchange customers in the service area. In accordance with this rule, it currently provides all customers with a printed directory of residential and business white page listings along with yellow page listings. These directories are published and delivered to all customers annually.

State Tel requests authorization to temporarily discontinue the blanket distribution of directories to all customers, citing the same relief permanently granted to Verizon New York, Inc. and Frontier Communications Corporation in Case Nos. 16-C-0186 and 12-C-0060, respectively. State Tel explains that, due to COVID-19 and New York PAUSE, the revenues derived from selling advertising in the directory have halted, rendering its publisher unable to produce a new directory at this time.

If the waiver granted, State Tel will have the ability to provide current residential, business, and yellow page directory listings to customers online at no charge. The most recent printed hard copy of the directory will also be available, upon request, at no charge. State Tel asserts that it is requesting a temporary waiver, as it wishes to continue to have a traditional directory printed and distributed once the COVID-19 related issues identified above are resolved.

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

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

NYSERDA and Staff Whitepaper Regarding a Clean Energy Regulatory Structure
I.D. No. PSC-26-20-00011-P

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

Proposed Action: The Commission is considering a whitepaper filed by NYSERDA and DPS Staff proposing a regulatory structure to address the Climate Leadership and Community Protection Act requirements for a renewable energy program.

Statutory authority: Public Service Law, sections 4(1), 5(1), (2), 66(2), 66-p; Energy Law, sections 6-104(5)(b)

Subject: NYSERDA and Staff whitepaper regarding a clean energy regulatory structure.

Purpose: To develop a renewable energy program to meet Climate Leadership and Community Protection Act goals.

Substance of proposed rule: The Public Service Commission (Commission) is considering a whitepaper filed by the New York State Energy Research and Development Authority (NYSERDA) and Department of Research and Development Authority (NYSERDA) and Department of...
Rule Making Activities

Public Service Staff (Staff) proposing a regulatory structure to address the Climate Leadersh ip and Community Protection Act (CLCPA) require ments for a renewable energy program (Whitepaper). The CLCPA directs the Commission to establish a program whereby: (1) jurisdictional load serving entities (LSEs) have secured adequate amounts of renewable energy resources to meet at least 70% of load in 2030 (the 70 by 30 Target); and (2) there are zero emissions in 2040 associated with electrical demand. The CLCPA also directs the establishment of programs for the procurement of specific technologies, including the deployment of 6 gigawatts (GW) photovoltaic solar generation by 2035, 5 GW of energy storage resources by 2030, and at least 9 GW of offshore wind by 2035. The Whitepaper proposes to: (1) use the existing regulatory and procurement structure established under the Commission’s Clean Energy Standard (CES) to meet the 70 by 30 Target, and (2) adopt policy changes and other modifications to the CES in order to align with the CLCPA and meet this Target.

Eligibility

The Whitepaper proposes to align all future procurements conducted by NYSERDA with the eligible technologies defined under the CLCPA. While this would exclude biomass and biofuels from future solicitations, the Whitepaper proposes that Renewable Energy Certificates (RECs) produced by biomass and biogas facilities subject to existing contracts continue to be eligible to satisfy LSEs’ CES Tier 1 compliance obligations through 2029. The Whitepaper further proposes that fuel cells be ineligible under CES except when they utilize a non-fossil fuel source, such as hydrogen that has been produced using a “renewable energy system” as a primary energy source.

Procurement Process

The Whitepaper proposes to use a load projection for the year 2030 of approximately 151,700 gigawatt hours (GWh) as the initial basis for formulating procurement targets to meet the 70 by 30 Target. Using this load projection and taking into consideration resources that are already in operation, under contract, or separately determined by statute, the Whitepaper estimates that an incremental quantity of approximately 42,900 GWh of renewable energy must be deployed to meet the 70 by 30 Target. The Whitepaper proposes an offshore wind procurement schedule that averages just under 1 GW annually through 2027 designed to meet the CLCPA requirement of 9 GW of offshore wind operating by 2035. Additionally, incremental Tier 1 procurements will need to average almost 4,500 GWh annually over the 2021 to 2026 period in order to meet the 70 by 30 Target, according to NYSERDA and Staff.

To achieve this Tier 1 procurement target, the Whitepaper proposes adjustments to the Tier 1 procurement process. The Whitepaper proposes that the Commission authorize NYSERDA, beginning in 2021, to conduct annual Tier 1 procurements in amounts necessary to achieve the 70 by 30 Target, but with neither minimum nor maximum quantity limitations in any given year. Instead, the Whitepaper proposes that NYSERDA assess the LSE participation in an upcoming solicitation, and annually revise the annual target amount as required to meet the CLCPA’s most-recently-revised requirements. The Whitepaper proposes to discontinue the triennial review process after 2020 and further proposes that NYSERDA should no longer be required to conduct make-up solicitations if the average target is met, instead making up any shortfalls in the following year’s solicitation. The Whitepaper also proposes that NYSERDA have discretion to purchase any percentage or fixed quantity of the Tier 4 RECs it has procured, the Whitepaper also recommends that transactions involving more than one purchaser and/or to re-sell some or all of the energy from a project, the Whitepaper recommends that NYSERDA have authority to negotiate commercial operation dates in Tier 4 agreements on an ad hoc basis depending on the applicant’s documented project schedule, and that NYSERDA have authority to enter a contract for up to 30 years. Alternatively, the Whitepaper proposes that the price for Tier 4 RECs could be set via a standard offer or directly negotiated between NYSERDA and a potential developer.

With respect to offshore wind, the Whitepaper recommends formal adopting of the CLCPA requirement for 5.5 GW of offshore wind by 2035 and granting NYSERDA authority to procure the remaining amount of offshore wind RECs (ORECs) necessary to achieve that goal. Specifically, the Whitepaper proposes that NYSERDA conduct offshore wind procurements in a manner that ensures, at a minimum, cumulative contracted capacity equivalent to between roughly 750 megawatts (MW) and 1,000 MW per year through 2027, but without any minimum or maximum procurement requirements for any one solicitation. Additionally, the Whitepaper proposes that NYSERDA have authority to procure ORECs directly for compliance. Moreover, the Whitepaper recommends that the Commission grant NYSERDA authority to re-sell ORECs to non-LSE buyers, provided that it do so at a cost no less than it sells to LSEs. With respect to offshore wind projects located in the Great Lakes, the Whitepaper proposes the development of a feasibility study that would consist of three primary components: Stakeholder Outreach, Analysis, and Policy Options.

Tier 2

With respect to Tier 2, the Whitepaper seeks comments regarding the New York Power Authority’s role, if any, in the Competitive Tier 2 Program proposed by NYSERDA in a January 24, 2020 petition filed in this proceeding.

Tier 4

In order to increase the penetration of renewable energy consumed in the downstate region of the State, NYSERDA and Staff propose the creation of a new Tier 4 within the CES. The proposed Tier 4 would extend financial support for renewable energy delivered into NYISO zone J and would be procured through a separate process than the procurement of offshore wind attributes. The Whitepaper proposes an obligation that any new portfolio risk factors be developed in consultation with Staff and portfolio-wide; and impacts on network upgrade costs, congestion, demand. The CLCPA also directs the establishment of programs for the offshore wind projects in a manner that ensures, at a minimum, cumulative contracted capacity equivalent to between roughly 750 megawatts (MW) and 1,000 MW per year through 2027, but without any minimum or maximum procurement requirements for any one solicitation. Additionally, the Whitepaper recommends that NYSERDA have authority to procure ORECs directly for compliance. Moreover, the Whitepaper recommends that the Commission grant NYSERDA authority to re-sell ORECs to non-LSE buyers, provided that it do so at a cost no less than it sells to LSEs. With respect to offshore wind projects located in the Great Lakes, the Whitepaper proposes the development of a feasibility study that would consist of three primary components: Stakeholder Outreach, Analysis, and Policy Options.

Tier 2

The Whitepaper recommends that the Commission grant NYSERDA authority to solicit both Fixed and Indexed REC bids under Tier 4, using the same methodology previously authorized by the Commission in the CES proceeding, and utilizing a price cap for Tier 4 RECs. The Whitepaper recommends that the Commission grant NYSERDA authority to procure Tier 4 RECs from renewable energy systems under the CLCPA and that NYSERDA have authority to conduct such sales annually through compliance year 2029. The Whitepaper recommend that Tier 4 RECs be provided with the same treatment as Tier 1 RECs, with the exception that Tier 4 RECs are not subject to any minimum Tier 4 purchase requirement. NYSERDA and Staff propose that Tier 4 follow the same solicitation process established for Tier 1, except that NYSERDA and Staff may have flexibility to negotiate commercial operation dates in Tier 4 agreements on an ad hoc basis depending on the applicant’s documented project schedule, and that NYSERDA have authority to enter a contract for up to 30 years. Alternatively, the Whitepaper proposes that the price for Tier 4 RECs could be set via a standard offer or directly negotiated between NYSERDA and a potential developer.

With respect to offshore wind, the Whitepaper recommends formal adopting of the CLCPA requirement of 5 GW of offshore wind by 2035 and granting NYSERDA authority to procure the remaining amount of offshore with RECs (ORECs) necessary to achieve that goal. Specifically, the Whitepaper proposes that NYSERDA conduct offshore wind procurements in a manner that ensures, at a minimum, cumulative contractual capacity equivalent to between roughly 750 megawatts (MW) and 1,000 MW per year through 2027, but without any minimum or maximum procurement requirements for any one solicitation. Additionally, the Whitepaper proposes that NYSERDA have authority to procure ORECs directly for compliance. Moreover, the Whitepaper recommends that the Commission grant NYSERDA authority to re-sell ORECs to non-LSE buyers, provided that it do so at a cost no less than it sells to LSEs. With respect to offshore wind projects located in the Great Lakes, the Whitepaper proposes the development of a feasibility study that would consist of three primary components: Stakeholder Outreach, Analysis, and Policy Options.

Tier 4

In order to increase the penetration of renewable energy consumed in the downstate region of the State, NYSERDA and Staff propose the creation of a new Tier 4 within the CES. The proposed Tier 4 would extend financial support for renewable energy delivered into NYISO zone J and would be procured through a separate process than the procurement of offshore wind attributes. The Whitepaper proposes an obligation that any new portfolio risk factors be developed in consultation with Staff and portfolio-wide; and impacts on network upgrade costs, congestion, demand.
Repowering

With respect to repowering of existing facilities, the Whitepaper recommends that the Commission amend the requirements for repowered facilities to be eligible for Tier 1. To be eligible, the White paper proposes that: (1) the project must be a qualifying technology and meet all other requirements of the Tier 1 solicitation; (2) until the end of the facility’s useful life, generation in excess of the facility’s projected generation, rather than its historic production, will be eligible for Tier 1; (3) the repowering includes replacement of each prime mover; and (4) the repowering must have the result that 80% of the tax basis per Generally Accepted Accounting Principles from the completed Repowered Facility is derived from capital expenditures made on or after the date of any Commission order implementing this proposal.

LSE Obligations

The Whitepaper proposes that the existing ZEC deficit be cured through the use of existing, uncommitted, and unspent Energy Efficiency Portfolio Standard, Renewable Portfolio Standard, and/or Systems Benefit Charge funds. Going forward, NYSERDA and DPS propose to exclude the “uncollectable” portion of the New York Power Authority’s load when determining the various LSE obligations.

Regarding the annual compliance targets that are set three years in advance on a rolling basis in the annual Divergence Tests, NYSERDA and Staff recommend that the mandated LSE Tier 1 REC obligations for 2021 through 2022 be revised to reflect delays in permitting and construction of awarded projects.

Funding and Reporting

With respect to administrative funding, the Whitepaper proposes that funding for all CES programs be combined into one comprehensive annual CES 2.0 funding request. Finally, with respect to reporting, the Whitepaper proposes the adoption of the revised programmatic reporting schedule that combines and streamlines CES program reporting requirements and includes the proposed Tier 4 program.

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

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov. Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov.

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

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

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

(15-E-03/2SP44)

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Department of State

PROPOSED RULE MAKING

NO HEARING(S) SCHEDULED

Creation of a Cease and Desist Zone Within Kings County

I.D. No. DOS-26-20-00008-P

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

Proposed Action: Amendment of section 175.17 of Title 19 NYCCR. 

Statutory authority: Real Property Law, section 442-h

Subject: Creation of a cease and desist zone within Kings County.

Purpose: To adopt a cease and desist zone for a designated area within Kings County.

Text of proposed rule: § 175.17 Prohibitions in relation to solicitation and unlawful discriminatory practice

(a)(1) No broker or salesperson shall induce or attempt to induce an owner to sell or lease any residential property or to list same for sale or lease by making any representations regarding the entry or prospective entry of the neighborhood of a person or persons of a particular race, color, religion, national origin, age, sex, sexual orientation, disability, gender identity, military status, familial status or any other protected category under any Federal, State or local law applicable to the activities of real estate brokers in New York State.

(ii) No licensed real estate broker or salesperson shall solicit the sale, lease, or the listing for sale or lease of residential property after such licensee has received written notice from an owner thereof that such owner or owners do not desire to sell, lease, or list their residential property and do not desire to be solicited to sell, lease, or list their residential property.

(i)(i) No licensed real estate broker or salesperson shall solicit the sale, lease, or the listing for sale or lease of residential property from an owner of residential property located in a designated cease-and-desist zone if such owner has filed a cease-and-desist notice with the Department of State indicating that such owner or owners do not desire to sell, lease, or list their residential property and do not desire to be solicited to sell, lease, or list their residential property.

(ii) The following geographic areas are designated as cease-and-desist zones, and, unless sooner redesignated, the designation for the following cease-and-desist zones shall expire on the following dates:

Zone Expiration Date
County of Bronx
October 1, 2022
Within the County of Bronx as follows:
The sections of the area of land in the County of Bronx, City of New York, within the neighborhood commonly referred to as Country Club, and more specifically bounded by and described as follows:

All the land west of the Eastchester Bay south of Grisswood Avenue to Bruckner Expressway; thence southerly along the Bruckner Expressway/Throgs Neck Expressway to Layton Avenue; then easterly to the Eastchester Bay.

Zone Expiration Date
County of Queens
October 1, 2022
Within the County of Queens as follows:
The sections of the area of land in the County of Queens, City of New York, within the neighborhood commonly referred to as College Point, and more specifically bounded by and described as follows:

Beginning at the intersection of interstate 687 and the East River; thence southerly along interstate 678 to the intersection of interstate 678 and 14th Avenue; thence westerly along 14th Avenue to College Point Boulevard; thence southerly along College Point Boulevard to 28th Avenue; thence westerly to flushing Bay; thence northeasterly along flushing Bay and the East River to the point of the beginning.

Zone Expiration Date
County of Rockland
July 1, 2023
Within the County of Rockland as follows:
The area of land situated in the County of Rockland that currently comprises the Incorporated Village of Chestnut Ridge in its entirety. The Village of Chestnut Ridge is more specifically located within the Town of Ramapo, north of the State of New Jersey and the Town of Orangetown; east of the Village of Airmont; south of the Village of Spring Valley; and west of the Towns of Clarkstown and Orangetown.

Zone Expiration Date
County of Kings
November 1, 2025
Within the County of Kings as follows:

Beginning at the Queens border of Brooklyn to the east and the intersection of Jamaica Avenue to the north; thence westerly along Jamaica Avenue to Pennsylvania Avenue; thence southerly along Pennsylvania Avenue to Sutton Avenue; thence westerly on Sutton Avenue to Van Sinderen Avenue to the west; thence southerly along Van Sinderen Avenue to Linden Boulevard to the south; thence easterly along Linden Boulevard to the Queens border; thence northerly along the border to the point of the beginning on Jamaica Avenue.

(iii) The names and addresses of owners who have filed a cease-and-desist notice with the Department of State shall be compiled according to the street address for each cease-and-desist zone. Following the first compilation of a list, the list shall be revised and updated annually on or before December 31st. Individual lists shall be identified by geographic area and year.

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(iv) A copy of each cease-and-desist list shall be available for inspection at the following offices of the Department of State:

- Department of State Division of Licensing Services 99 Washington Avenue Albany, New York 12231-0001
- Department of State Division of Licensing Services State Office Building Annex 164 Hawley Street Binghamton, New York 13901-4053
- Department of State Division of Licensing Services 65 Court Street Buffalo, New York 14202-3471
- Department of State Division of Licensing Services Hughes State Office Building Annex 101 New York 13202-1428

(v) The cost of each list compiled pursuant to this subdivision shall be $10 and shall be available upon written request to the following address:

- Department of State Division of Licensing Services 123 William Street New York, New York 10038-3804

The original cease-and-desist notice shall be filed with the Department of State’s Division of Licensing Services at 123 William Street, New York, New York 10038-3804, and shall be available for public inspection and copying upon written request and appointment.

(vii) For the purposes of Real Property Law, section 441-c, it shall not be a demonstration of untrustworthiness or incompetence for a licensee to solicit an owner who had filed a cease-and-desist notice with the Department of State if the owner’s name and address do not appear on the current cease-and-desist list compiled by the Department of State pursuant to subparagraph (iii) of this paragraph.

(4) No real estate broker or salesperson shall engage in an unlawful discriminatory practice as proscribed by any Federal, State or local law applicable to the activities of real estate licensees in New York State. A finding by any Federal, State or local agency or court of competent jurisdiction that a real estate broker or salesperson has engaged in unlawful discriminatory practice in the performance of licensed real estate activities shall be presumptive evidence of untrustworthiness and will subject such licensee to discipline, including a proceeding for revocation. Nothing herein shall limit or restrict the department from otherwise exercising its authority pursuant to section 441-c of the Real Property Law.

Text of proposed rule and any required statements and analyses may be obtained from: David A. Mossberg, Esq., NYS Department of State, 123 William Street, 20th Floor, New York, NY 10038, (518) 473-2728, email: david.mossberg@dos.ny.gov

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

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

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

Regulatory Impact Statement

1. Statutory authority:

Section 442-h(3)(a) of the New York Real Property Law (“NY RPL”) provides that the Secretary of State (the “Secretary”) may adopt a rule establishing a cease-and-desist zone if the Secretary determines that some homeowners within a defined area are subject to intense and repeated solicitations by real estate brokers, salespersons or persons regularly engaged in the trade or business of buying and selling real estate. Upon the establishment of such a zone, the law provides that any homeowner located within the zone may file with the Secretary a statement of desire not to be solicited and may request that the homeowner’s property be included on a list commonly referred to within the real estate industry as a “cease-and-desist list”. Thereafter, the Secretary shall publish a list of names and addresses of the persons who have filed the statement. Once the list is published, brokers, salespersons and other persons regularly engaged in the trade or business of buying and selling real estate are prohibited from soliciting persons on that list.

2. Legislative objectives:

Section 442-h was enacted to protect homeowners within specific areas from intense and repeated solicitations, which were often accompanied by implications that property values will be decreasing due to changes taking place within the community. These changes were often attributed to persons of different ethnic, social or religious backgrounds moving into specific neighborhoods. In the law, against a challenge brought against the creation of a cease-and-desist list, the Second Circuit Court of Appeals further explained that the objectives advanced by such lists also include protecting the privacy of homeowners.

Anderson v. Treadwell, 294 F.3d 453 (2d Cir. 2002). In Anderson, the court held, inter alia, that “[t]he homeowners’ privacy interest is ‘substantial’ within the meaning of Central Hudson. The Supreme Court has declared that protecting the ‘well-being, tranquility, and privacy of the home is certainly of the highest order in a free and civilized society.’

The Court has observed that “[e]ven solicitation that is neither fraudulent nor deceptive may still result in property values decreasing due to changes taking place within the community. In order to apply such lists in a manner consistent with the purposes, the Secretary may establish a cease-and-desist zone if the Secretary determines that some homeowners within a zone are subject to intense and repeated solicitations that the homeowners consider intrusive and unwanted. This rule proposes a rule to establish cease-and-desist zones and protect homeowners from intrusive and unwanted real estate solicitations.

3. Needs and benefits:

The Department held a public hearing on March 5, 2020, at the NYPD Community Center located at 127 Pennsylvania Avenue, Brooklyn, NY 11207, to explore whether some members of the public in the community have been subjected to intense and repeated solicitation by real estate professionals or others regularly engaged in the buying and selling of real estate. Many homeowners, community leaders and elected officials urged the Secretary to establish a cease-and-desist list due to the amount and intensity of the solicitations received, and the harassment felt by the homeowners as a result.

For the public hearing, and continuing for several weeks thereafter, the Department gathered significant numbers of mailed solicitations from residents. Over 30 speakers provided examples of frequent telephone calls, unwanted mail and flyers, aggressive tactics, and door-to-door solicitations as intrusive and unwanted solicitation practices by members of the real estate industry.

One homeowner, whose family has lived in the proposed zone since 1958 and who himself is a licensed real estate broker since 1986 spoke publicly at the hearing to describe the nature of the aggressive marketing tactics. During the public portion of the meeting, this broker spoke passionately about the need to establish the zone and stated, in part, “as a real estate broker all the things that were said tonight, I could vouch that they are true. This has happened.” The speaker went on to urge the Secretary to adopt a cease and desist zone.

Several residents testified to receiving multiple solicitations on a daily basis, having vehicles parked in front of their home and then being stopped as they went about their private routines only to be solicited. Some homeowners also spoke of anonymous complaints being filed with zoning and building officials in an effort to have the property inspected with the intent of imposing fines that would be beyond the owners’ ability to pay thereby pressuring home sales.

This proposal therefore satisfies the important legislative objective of protecting homeowners from unwanted, repeated and intense solicitations, and is reasonably tailored to fit just those communities which have demonstrated a need for a cease-and-desist list. Accordingly, this rule will provide those homeowners who do not wish to be solicited with an effective and practical means of so notifying real estate professionals.

4. Costs:

A. Costs to regulated parties:

Parties affected by this rule include licensed real estate brokers and salespeople, as well as other persons regularly engaged in the trade or business of buying and selling real estate. The Department will make avail-
able cease-and-desist lists on its website, at no cost. The Department will also offer "cease-and-desist lists" for $10.00 per copy, in accordance with 99 NYP RL § 442-h and 19 NYCRR § 175.17. The Department expects that all professionals will obtain the cease-and-desist lists from the Department’s website at no cost.

If a professional uses the telephone, delivery services or personal contact to solicit residential listings, there may be additional time spent checking the cease-and-desist list to avoid contact with anyone who may be on the list. There is, of course, a cost associated with that expenditure of time taken to check the list. On the other hand, there may be some savings resulting from the elimination of unproductive calls or deliveries. Whether there is a net cost or savings will depend on the circumstances and practices of each business.

The Department currently has several other zones throughout the State and the Department has not received any information suggesting that compliance with the other zones has been cost prohibitive for regulated parties.

B. Costs to the Department of State:

The costs for printing and mailing are unknown, in part because it is unknown how many prints are required; it is expected that most business will obtain the cease-and-desist lists from the Department’s website. For those few who want to purchase a paper copy, the Department will likely print a copy, on a per order basis, on existing equipment and using existing resources. The Department anticipates that any costs associated with this rule will be minimal, and may be defrayed by the required $10.00 fee for paper copy requests. Existing staff will be utilized to update and maintain the cease-and-desist lists.

5. Local government mandates:

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

6. Paperwork:

Homeowners who do not want to be solicited will have to file an owner’s statement with the Department. The owner’s statement will indicate the owner’s desire not to be solicited and will set forth the owner’s name and address of the property located within the cease and desist zone. The Department will provide homeowners with a standard form, although use of the form is not mandatory. Owner’s statement forms will be provided to community leaders for distribution to their constituents. In addition, owner’s statement forms will be available from the Department on request. Owners will also be able to fill out a statement electronically on the Department’s website.

The Department will prepare a cease-and-desist list containing the names and addresses of all of the homeowners who file an owner’s statement. The list will be available, at no cost, on the Department’s website. The list will also be sold to the public, including real estate professionals. The price will be $10 per copy. Besides requests for copies of the cease-and-desist lists that must be submitted by mail, there are no paperwork requirements as a result of this rule.

7. Duplication:

This rule does not duplicate, overlap or conflict with any other state or federal requirement.

8. Alternatives:

The Department did not identify any alternative that would provide relief for homeowners and, at the same time, be less restrictive and less burdensome on the solicitation activities. Consideration was given to the adoption of a non-solicitation order pursuant to NY RPL section 442-h(2)(a). However, the Department concluded that creation of a cease and desist zone could provide homeowners with relief from intense and repeated solicitation without imposing the more restrictive and burdensome regulation of a non-solicitation order, which would, among other things, prohibit all direct solicitation activities within the non-solicitation zone. Consideration was also given to expanding the proposed zone to neighboring community boards, but the Department determined that the record was not developed sufficiently to support such increased zones.

9. Federal standards:

There are no applicable Federal standards directly relating to this rulemaking.

10. Compliance schedule:

The rule will become effective on November 1, 2020; thereafter, a cure period will be in place for 90 days after adoption of the final rule. These timeframes will allow sufficient time for homeowners to file their owner’s statements with the Department and for those impacted by the regulation to comply with this proposed regulation. This schedule is consistent with past zones established by the Secretary.

Regulatory Flexibility Analysis

1. Effect of rule:

This rule would create a cease and desist zone to permit homeowners within a designated area of Kings County (i.e., Brooklyn, NY) to file an Owner’s Statement with the Department indicating that they do not wish to be solicited to sell or list their property for sale. Real estate licensees, and those regularly engaged in the business of buying or selling property, would then be prohibited from soliciting a property listing from those residents. The cease and desist zone would be limited to homeowners within the defined area of Kings County.

This rule will apply to all real estate licensees and those regularly engaged in the business of buying or selling property but would primarily affect real estate brokers with offices located in Kings County. Many of these licensees are small businesses or are associated with small businesses. Real estate brokers and salespersons will remain free, however, to solicit listings from those residents in the defined zone who have not filed Owner’s Statements with the Department of State. Owners may participate in regulated transactions within the zone. Considered the past creation of other cease and desist zones the Department does not anticipate that the solicitation limitations will place an undue financial burden or impose a hardship on real estate brokers and salespersons.

The rule does not apply to local governments.

2. Compliance requirements:

The Department of State publishes and makes available a list of residents within a cease and desist zone who have notified the Department that they do not wish to be solicited by real estate professionals. These cease and desist lists are made available to any member of the public and are available electronically on the Department’s website. Owners will also refer to the list prior to soliciting listings from homeowners within the defined cease and desist zone.

3. Professional services:

Small businesses will not need professional services in order to comply with this rule.

4. Compliance costs:

Small businesses will not incur any significant compliance costs associated with this rule. The Department publishes cease and desist lists on its website at no cost. Businesses who desire a hard copy of the lists may notify the Department and receive a copy of the lists by mail for a cost of $10.00.

5. Economic and technological feasibility:

The Department has determined that it will be economically and technologically feasible for small businesses to comply with this rule. There have been cease and desist lists in past years and the Department finds no reason to believe the businesses will not be able to comply with these requirements again. Additionally, recent zones were established in Bronx, Queens and Rockland Counties, and the Department has not received any evidence that compliance with these requirements is not feasible.

6. Minimizing adverse impact:

The Department did not identify any alternative that would provide relief for homeowners and, at the same time, be less restrictive and less burdensome on solicitation activities. Consideration was given to the adoption of a non-solicitation order pursuant to NY RPL section 442-h(2)(a). However, the Department concluded that creation of a cease and desist zone could provide homeowners with relief from intense and repeated solicitation without imposing the more restrictive and burdensome regulation of a non-solicitation order, which would, among other things, prohibit all direct solicitation activities within the non-solicitation zone. Consideration was also given to expanding the proposed zone to neighboring community boards, but the Department determined that the record was not developed sufficiently to support such increased zones.

The Department also considered not establishing the proposed zone. It was determined, however, that to do so would have resulted in homeowners in the affected areas continuing to be subject to unwanted intense and repeated solicitations to sell their homes. The Department found such a result to be contrary to the best interests of the State and would not further the legislative objective of protecting homeowners.

7. Small business participation:

On March 5, 2020 the Department held a well-attended public hearing in Kings County to determine, in part, whether homeowners have suffered repeated and intense solicitations warranting this proposed rulemaking. The hearing was publicized in advance and was open to all interested parties, including small businesses represented by licensed brokers, Representatives of local community boards, State and local elected officials, homeowners, and real estate professionals also attended and participated in the process. It is worth noting that a small business owner, who is also a licensed real estate broker and would be directly impacted by the proposed rule, spoke in favor of adopting a zone citing the urgent need to protect homeowners.

The Department kept the hearing record open in order to permit individuals and businesses to submit written testimony and evidence following the public hearing. Further, the Department will continue its outreach after the rule is formally proposed as a Notice of Proposed Rule
Rule Making Activities

Making in the State Register. The publication of the rule in the State Register will provide additional notice to interested parties. Additional comments will be received and considered by the Department.

8. Compliance cost:
The proposed cease and desist list would be effective on November 1, 2020 but the Department is also providing a cure period for those impacted by the rule to comply. This time will also be used to allow homeowners sufficient time to file their owner’s statements with the Department.

9. Cure period:
The Department is providing a cure period of 90 days following publication of the Notice of Adoption to permit those impacted to obtain any listings published by the Department and to adjust their business practices accordingly. After 90 days, any business or individual subject to this rule who solicits a homeowner that has filed a statement with the Department will be subject to appropriate action pursuant to Article 12-A of the New York Real Property Law and the regulations promulgated thereunder.

Rural Area Flexibility Analysis
1. Effect of rule:
This rule does not apply to rural areas and, rather, applies only to a defined geographic area within Kings County (i.e., Brooklyn, NY).

2. Compliance requirements:
This rule, which applies only in a defined area within Kings County, does not impose any reporting or recordkeeping requirements on businesses located within rural areas.

3. Professional services:
Professional services are not needed to comply with this rule.

4. Compliance costs:
The rule does not impose any costs on rural areas.

5. Minimizing adverse impact:
Insofar as the rule does not impose any costs on rural areas, no alternatives to minimize adverse impacts were considered by the Department of State.

6. Rural area participation:
Insofar as the rule does not apply in rural areas, rural area participation was not solicited by the Department of State.

Job Impact Statement
As is evident by the nature of this rulemaking, this proposal will not have a substantial adverse impact on jobs and employment opportunities. The rule prohibits real estate professionals from soliciting real estate listings from residents of a defined geographic area who have notified the Department of State that they do not wish to be solicited. Real estate professionals will remain free to solicit other residents within the defined zone and engage in real estate transactions within and outside of the defined geographic area. Similar rules have been promulgated in the past without adversely impacting job opportunities. Accordingly, for the reasons expressed above, this rule will not adversely impact jobs and employment opportunities.

Office of Temporary and Disability Assistance

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Supplemental Security Income (SSI) Additional State Payments

I.D. No. TDA-26-20-00007-P

Pursuant to the Provisions of the State Administrative Procedure Act. Notice is hereby given of the following proposed rule:

Proposed Action: Amendment of Part 398 of Title 18 NYCRR.

Statutory Authority: Social Services Law, sections 17a(a)-(b), (k), 20(3)(d), 22(8), 207 and 212

Subject: Supplemental Security Income (SSI) Additional State Payments.

Purpose: To amend State regulations to clarify certain aspects of the State Supplement Program (SSP), including, but not limited to: (1) who is eligible to participate in the State Supplement Program (SSP) based on the initial eligibility determination transmitted from the Social Security Administration to New York State (NYS) via the State Data Exchange process; (2) the intent required for SSP or State Supplemental Personal Needs Allowance benefit issuances; (3) that benefits will not be issued once a participant’s death has been verified; (4) time frames for timely reporting by SSP participants and circumstances under which underpayment and retroactive benefits will issue; and (5) that NYS has the right to operate the SSP under State rules.

Substance of proposed rule (full text is posted at the following State website: http://otda.ny.gov/legal/regulatory-activities.asp): The Office of Temporary and Disability Assistance (OTDA) proposes amendments to 18 NYCRR Part 398 relative to Supplemental Security Income (SSI) Additional State Payments. The full text of the proposed rule is posted at: http://otda.ny.gov/legal/regulatory-activities.asp

Subpart 398-1:
Amend § 398-1 to clarify the scope and purpose of the rule – namely, to provide the framework for the State Supplement Program (SSP) – and to make technical revisions.

Subpart 398-2:
Amend § 398-2 to make clarifying revisions to the terms used in this Part. The proposed regulatory amendments add the following definitions: “active receipt of SSI”; “eligible federal payment status codes potentially eligible for SSP benefits”; “minor child”; and “timely reporting”. The following definitions would be removed: “additional state payments”; “child”; “mandatory SSP benefit”; and “optional SSP benefit”. In addition, clarifying updates would be made to the definitions of: “aid continuing”; “countable income”; “countable resources”; “designated representative”; “eligible couple”; “eligible spouse”; “good cause”; “interim assistance reimbursement process”; “Medical Assistance program”; “notice of action” or “overpayment”; “parental controls”; “public institutions”; “representative payee”; “reimbursement process”; “Medical Assistance program”; “SPS only recipient”; “State supplemental personal needs allowance”; “Supplemental Security Income Program”; “Supplemental Security Income Program” or “SSP”; “temporary absence”; “timely notice”; and “underpayment”. Existing definitions remaining unchanged would be relettered as needed to accommodate aforementioned revisions.

Subpart 398-3:
Amend § 398-3.1 to make technical updates and clarifying revisions pertaining to an individual’s or couple’s eligibility for the Supplemental Security Personal Needs Allowance (SSPNA), when eligibility for SSPNA is deemed to begin, and the date on which SSPNA benefits are payable.

Amend § 398-3.2 to make technical updates.

Amend § 398-3.3 to make technical updates.

Subpart 398-4:
Amend § 398-4.1 to make technical updates and clarifying revisions pertaining to an individual’s or couple’s eligibility for participation in the State Supplement Program (SSP), when eligibility for SSP is deemed to begin, and the date on which SSP benefits are payable.

Amend § 398-4.2 to make technical updates and clarifying revisions providing that, to be eligible for SSP benefits, an individual or couple must be in active receipt of federal Supplemental Security Income (SSI) benefits or otherwise be in active receipt of SSI benefits at the time the relevant federal Social Security Administration (SSA) electronic data file is transmitted to New York State (NYS) by the SSA via the State Data Exchange (SDX).

Amend § 398-4.3 to make technical updates and clarifying revisions providing that the OTDA is bound by the actions taken by SSA on the SSI eligibility determination at the time the relevant SSA electronic data file is transmitted to NYS via the SDX and further clarifying that notices issued by SSA shall not be used to determine eligibility for SSP benefits.

Amend § 398-4.4 to make technical updates and clarifying revisions replacing “standard of need” with “benefit rate” in the calculation for monthly SSP benefit amount and repealing language in subdivision (c) stating “except that a supplemental benefit will be issued when a move to a new living arrangement after the first day of the month is financially advantageous to the SSP recipient”.

Amend § 398-4.5 to add clarifying language providing that if there is discrepancy between the living arrangement information reported to SSP by the SSP participant and the Supplemental Nutrition Assistance Program (SNAP) record, the information on household composition in the SNAP record will take precedence, and to make technical updates throughout the section.

Amend § 398-4.6(a) to add clarifying language providing that OTDA will issue SSP benefits to persons in active receipt of SSI as of such time that the federal SSA electronic data file, containing such individual’s or couple’s relevant SSI eligibility determination, is transmitted to NYS via the SDX by the same manner in which such persons receive SSI benefits, and to make technical updates throughout the section.

Amend § 398-4.7 to make technical updates.

Subpart 398-5:
Amend § 398-5.1 to make technical updates.

Amend § 398-5.2 to replace “applicants and recipients” with “SSP recipients” and to make technical updates.

Subpart 398-6:
Amend § 398-6.1 to replace “applicants and recipients” with “SSP recipients” and to make technical updates.
Amend § 398-6.2 to replace “applicants and recipients” with “SSP recipients”, amend the response time to requests for information and/or documentation made by OTDA from 30 calendar days to 10 days from the date of the request, and to make technical updates.

Subpart 398-7:
Amend § 398-7.1 to make clarifying revisions regarding eligibility to participate in the SSP or otherwise be eligible for SSPNA, and to make technical updates.

Subpart 398-8:
Amend § 398-8.1(a) to reference “recipients of SSP benefits or SSPNA” and to make technical updates.
Amend § 398-8.1(b) to make technical updates and to eliminate from “the office has received an unequivocal, written statement signed by the recipient indicating that he or she no longer wishes to receive SSPNA or SSP benefits” from the list of circumstances under which only an adequate notice of action will be issued to recipients of SSP benefits or SSPNA.

Subpart 398-9:
Amend § 398-9.1–398-9.3 to replace references to “payments” with references to “benefits”.

Subpart 398-10:
Amend §§ 398-10.1–398-10.5 to reference “SSP benefits or SSPNA” and to make technical updates.

Subpart 398-11:
Amend § 398-11.1 to clarify that no SSP retroactive benefits or underpayment adjustments will be paid to individuals who are not in active receipt of SSI benefits.
Amend § 398-11.2 to reference “SSP benefits or SSPNA” and to make technical updates.
Amend § 398-11.3 to repeal existing regulatory language and replace it with a formula for calculating an underpayment and to clarify that corrective action will be taken if an underpayment occurs and that underpayments may only be issued to currently active SSP recipients.

Subpart 398-12:
Amend § 398-12.1 to replace references to “payments” with references to “benefits” and to reference “SSP benefits or SSPNA”.
Amend § 398-12.2 to replace references to “SSD” with references to “district”.
Amend § 398-12.3 to make technical updates.

Subpart 398-13:
Amend § 398-13.1 to replace a reference to “SSD” with a reference to “district”.
Amend § 398-13.2 to make technical updates.
Amend § 398-13.3 to make a technical update.
Amend § 398-13.4 to remove references to “applicant” in favor of “recipient” and to make technical updates.

Subpart 398-14:
Amend § 398-14.1 to reference “SSP and SSPNA programs” and to make technical updates.

Text of proposed 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, 16-C, Albany, NY 12243-0001, (518) 486-7503, email: richard.rhodesjr@otda.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority:
Social Services Law (SSL) § 17(a)-(b) and (k) provide, in part, that the Commissioner of the Office of Temporary and Disability Assistance (OTDA) shall “determine the policies and principles upon which public assistance, services and care shall be provided within the state both by the state itself and by the local governmental units …”, shall “make known his policies and principles to local social services officials and to public and private institutions and welfare agencies subject to his regulatory and advisory powers …”, and shall “exercise such other powers and perform such other duties as may be imposed by law.”

SSL § 20(3)(d) authorizes OTDA to promulgate regulations to carry out its powers and duties.
SSL § 22(b) requires OTDA to promulgate regulations as may be necessary to administer its fair hearings process.
SSL § 207 establishes a statewide program of additional State payments for eligible aged, blind and disabled persons.
SSL § 212 provides that OTDA shall be responsible for providing such additional State payments to eligible residents of New York State if there is no agreement in effect with the Social Security Administration (SSA) for federal administration and shall take all “actions necessary to effectuate the provisions of this title.”

2. Legislative objectives:
It was the intent of the Legislature in enacting SSL § 20(3)(d), 207 and 212 that OTDA establish rules, regulations and policies to effectuate the purposes of the SSP, which will administer Supplemental Security Income (SSI) additional State payments. SSL § 20(3)(d) and 22(8) also enable OTDA to establish rules in order to help ensure that the due process rights of recipients are protected in connection to OTDA’s fair hearings process.

3. Needs and benefits:
The proposed regulatory amendments are intended to provide clarification and consistency in the continuing operation of the SSP and to align State regulations with current SSP policies and procedures.

On October 1, 2014, OTDA assumed administrative and programmatic responsibilities for the SSP from the federal SSA. The primary reason for this agreement was to reduce the administrative and accountability tasks associated with the operation of the SSP, and the administrative change has resulted in significant savings to taxpayers. In accordance with the provisions of New York State’s previous agreement with the SSA, SSA operated and administered the SSP on behalf of New York State under the same federal rules which applied to federal SSI program, thereby facilitating SSA’s operation of both programs from an administrative standpoint.

New York State is not obligated, either by statute or regulation, to administer the SSP under the same federal rules applied under SSA administration. However, pursuant to the provisions of SSL § 22(8), the SSP is limited to those individuals/couples who either are in receipt of federal SSI benefits or who would be in receipt of SSI benefits except for reasons of countable income. As such, New York State is permitted to apply additional rules and conditions for participation in the SSP. The proposed regulatory amendments would clarify that participation in the SSP is limited only to those individuals/couples whose SSI record, as transmitted electronically from the SSA via the State Data Exchange (SDX) file transfer process, provides that the relevant SSA eligibility determination is either: that the individual/couple is currently in active receipt of federal SSI benefits; or that the individual/couple is ineligible for SSI benefits solely because the individual/couple’s countable income exceeds the federal benefit rate (FBR), but does not exceed the state standard of need as calculated based on the applicable state living arrangement category. The regulatory amendments would also clarify that only those individuals/couples who are active SSP recipients may receive retroactive benefits and/or underpayments. An additional clarification regarding underpayments adds language that an underpayment may be issued only to an active SSP participant, and that eligibility to receive a restored payment of SSP benefits on account of such underpayment is conditional upon continuous and uninterrupted active pay status for SSP or SSPNA during the underpayment period.

The regulatory revisions provide additional clarification regarding issuance of SSP or State Supplemental Personal Needs Allowance (SSPNA) benefits after a participant’s death. The proposed regulatory amendments would also address timely reporting by SSP participants and a mandatory 90-day waiting period prior to initial issuance of benefits.

The proposed regulatory amendments to 18 NYCRR § 398-2.1 would add the following definitions: “active receipt of SSI”; “federal payment status codes potentially eligible for SSP benefits”; “minor child”; and “timely reporting”. The following definitions were also replaced and amended: “Federal Supplemental Security Income (SSI) additional state payments”; “child”; “mandatory SSP benefit”; and “optional SSP benefit”. In addition, revisions were made to the definitions of: “aid to the permanently and totally disabled”; “aid to the temporarily disabled”; “federal SSI program”; “total family income”; “highest federal benefit rate”; “medically needy”; “optional SSP benefit”; and “SSP-only recipient”. The proposed regulatory amendments would provide more concise definitions that more closely align with current SSP policies.

The proposed regulatory amendments would also effectuate technical revisions to current State regulations, including, but not limited to: changing references to “federal” from capital to lower-case; replacing the term “payment” with the term “benefit”; and repeal of several terms including “applicant”, “additional”, “mandatory” and “optional” to render the State regulatory language cleaner and more concise.

4. Costs:
There would be no new cost associated with the proposed regulatory amendments for the State government, including OTDA, or for the local governments, insofar as the proposed regulatory amendments would be largely consistent with and are intended merely to clarify past practices and existing policy.
5. Local government mandates:
The proposed regulatory amendments would not require any new re-
sources, procedures, or expertise to support implementation. The SSP
is entirely administered by OTDA and does not require social services
districts (districts) to operate any portion of the program.
6. Paperwork:
There would be no additional reporting requirements or additional
paperwork required to support the proposed regulatory amendments.
7. Duplication:
The proposed regulatory amendments would not duplicate, overlap or
conflict with any existing State or federal regulations.
8. Alternatives:
An alternative is to leave all sections of the current 18 NYCRR § 398
intact. However, the proposed regulatory amendments are needed to
provide consistency and clarity to current State regulations and to align
State regulations with current SSP policies and procedures; consequently,
OTDA does not consider inaction as a viable alternative to the proposed
regulatory amendments.
9. Federal standards:
The proposed regulatory amendments would not conflict with federal
standards for use of resources.
10. Compliance schedule:
The proposed regulatory amendments would become effective 60 days
after their adoption. OTDA would issue an administrative directive (ADM)
advising districts of the adoption date.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required for the proposed
regulatory amendments. The proposed regulatory amendments would nei-
ther have an adverse impact upon, nor impose reporting, recordkeeping, or
other compliance requirements upon small businesses or local
governments. The purpose of the proposed regulatory amendments is to
revise the rules governing issuance of State Supplement Program (SSP)
benefits to individuals and couples. The proposed regulatory amendments
would merely clarify and specify: (1) who is eligible to participate in the
SSP based on the relevant eligibility determination transmitted from the
Social Security Administration to New York State via the State Data
Exchange process; (2) the intended uses for SSP or State Supplemental
Personal Needs Allowance benefit issuances; (3) that benefits will not be
issued once a participant’s death has been verified; (4) time frames for
timely reporting by SSP participants and circumstances under which
underpayment and retroactive benefits will be issued; and (5) that New
York State has the right to operate the SSP under State rules. The proposed
regulatory amendments would also align State regulatory language
with current SSP policies and procedures. Further, the SSP is administrated
and operated solely by the New York State Office of Temporary and Disability
Assistance and does not require social services districts (districts) to operate
any portion of the program.

As it was evident from the proposed regulatory amendments that they
would not have an adverse impact or impose reporting, recordkeeping, or
other compliance requirements, no further measures were needed to
ascertain those facts and, consequently, none were taken.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not required because the proposed
regulatory amendments would neither have an adverse impact upon, nor
impose reporting, recordkeeping, or other compliance requirements upon
public or private entities in rural areas. The purpose of the proposed regula-
tory amendments is to revise the rules governing issuance of State Supple-
ment Program (SSP) benefits to individuals and couples. The proposed
regulatory amendments would merely clarify and specify: (1) who is
eligible to participate in the SSP based on the relevant eligibility determi-
nation transmitted from the Social Security Administration to New York
State via the State Data Exchange process; (2) the intended uses for SSP or State Supplemental
Personal Needs Allowance benefit issuances; (3) that benefits will not be
issued once a participant’s death has been verified; (4) time frames for
timely reporting by SSP participants and circumstances under which
underpayment and retroactive benefits will be issued; and (5) that Rural
York State has the right to operate the SSP under State rules. The proposed
regulatory amendments would also align State regulatory language
with current SSP policies and procedures. Further, the SSP is administrated
and operated solely by the New York State Office of Temporary and Disability Assistance and does not require social services districts (districts) to operate
any portion of the program.

As it was evident from the proposed regulatory amendments that they
would not have an adverse impact or impose reporting, recordkeeping, or
other compliance requirements on private entities or districts in rural ar-
 eas, no further measures were needed to ascertain those facts and, conse-
tquently, none were taken.

Job Impact Statement

A Job Impact Statement is not required for the proposed regulatory
amendments. The purpose of the proposed regulatory amendments is to

Triborough Bridge and Tunnel Authority

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Proposal to Establish a New Crossing Charge Schedule for Use of
Bridges and Tunnels Operated by TBT A

I.D. No. TBA-26-20-00001-P

Pursuant to the provisions of the State Administrative Procedure Act, Notice is hereby given of the following proposed rule:

Proposal: Repeal of section 1021.1; addition of new section 1021.1 to Title 21 NYCRR.

Statutory Authority: Public Authorities Law, section 553(5)

Subject: Proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBT A.

Purpose: To provide for the implementation of split tolling at TBT A’s Verazzano-Narrows Bridge as required by Federal law.

Text of proposed rule: See Appendix in the back of this issue.

Test of proposed rule and any required statements and analyses may be obtained from: Julia R. Christ, Senior Vice President and General Counsel, Triborough Bridge and Tunnel Authority, 2 Broadway, 24th Fl., New York, NY 10004, (646) 841-3042, email: jchrist@mtabt.org

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

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

Regulatory Impact Statement, 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.
## HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

<table>
<thead>
<tr>
<th>Agency I.D. No.</th>
<th>Subject Matter</th>
<th>Location—Date—Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing and Community Renewal, Division of</td>
<td>Schedule of Reasonable Costs for Major Capital Improvements in Rent Regulated Housing Accommodations</td>
<td>641 Lexington Ave., New York, NY—September 9, 2020, 10:00 a.m. Note: hearing may be canceled, re-scheduled or conducted remotely due to COVID-19. Notice of any change shall be provided on the agency’s website.</td>
</tr>
<tr>
<td>Public Service Commission</td>
<td>Disposition of sales tax refund and other related matters</td>
<td>Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—August 11, 2020 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* *On occasion, it is necessary or appropriate to reschedule or postpone hearing dates. In such an event, notification of any subsequent scheduling changes will be available at the DPS website (<a href="http://www.dps.ny.gov">www.dps.ny.gov</a>) under Case 20-M-0134.</td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Agency I.D. No.</th>
<th>Expires</th>
<th>Subject Matter</th>
<th>Purpose of Action</th>
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<tr>
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<td>Limits on Administrative Expenses and Executive Compensation</td>
<td>To bring this rule into compliance with current law in New York State</td>
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<td>AAM-12-20-00006-P</td>
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<td>Calibrating and testing of certain weights and measures standards and devices.</td>
<td>To allow the Dept. to increase the fees it charges in calibrating and testing certain weights &amp; measures standards and devices.</td>
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<td>05/27/21</td>
<td>Milk and Milk Products</td>
<td>To incorporate federal requirements applicable to the processing and manufacture of milk and milk products</td>
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<td>Outlines the regulatory requirements for persons seeking credentialing as an addiction professional</td>
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<td>Behavioral health services, elimination of room isolation and authority to operate de-escalation rooms</td>
<td>To implement standards for behavioral health services and the operation of de-escalation rooms and to eliminate room isolation</td>
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<td>CFS-49-19-00001-P</td>
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CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-24-20-00001-EP     06/17/21  Medical reviews for child placement  To modernize the requirements for medical reviews so that required standards not act as a barrier for child placement

CFS-24-20-00014-EP     06/17/21  To implement and enforce emergency health guidance as put forward by the Executive Chamber and DOH.  To implement and enforce emergency health guidance as put forward by the Executive Chamber and DOH.
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<td>To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2020.</td>
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<td>Prohibit the segregation of vulnerable inmates, and to standardize allowable uses and duration of special housing segregation.</td>
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<td>To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population</td>
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<td>To update provisions of the Commissioner’s Regulations relating to pupil transportation</td>
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<td>EDU-11-20-00014-P</td>
<td>03/18/21</td>
<td>Local Government Records Management</td>
<td>To issue a new records retention and disposition schedule LGS-1</td>
</tr>
<tr>
<td>EDU-11-20-00016-P</td>
<td>03/18/21</td>
<td>Eligibility Requirements for Loan Forgiveness and Grant Programs</td>
<td>Conforms Commissioner’s regulations to the DREAM Act relating to student’s eligibility for loan forgiveness and grant programs</td>
</tr>
<tr>
<td>EDU-16-20-00002-ERP</td>
<td>04/22/21</td>
<td>Addressing the COVID-19 Crisis</td>
<td>To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis</td>
</tr>
<tr>
<td>EDU-20-20-00008-ERP</td>
<td>05/20/21</td>
<td>Addressing the COVID-19 Crisis</td>
<td>To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis</td>
</tr>
<tr>
<td>EDU-25-20-00004-P</td>
<td>06/24/21</td>
<td>Alternative High School Equivalency Preparation and Alternative Transition Programs</td>
<td>To provide expanded access to and update Alternative High School Equivalency Preparation and Alternative Transition Programs</td>
</tr>
<tr>
<td>EDU-25-20-00005-EP</td>
<td>06/24/21</td>
<td>Addressing the COVID-19 Crisis</td>
<td>To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis</td>
</tr>
<tr>
<td>EDU-25-20-00006-EP</td>
<td>06/24/21</td>
<td>Licensing Examinations in the Profession of Public Accountancy</td>
<td>Conform the Commissioner’s Regulations to the national licensing examination standards in public accountancy</td>
</tr>
<tr>
<td>Agency I.D. No.</td>
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<tr>
<td>EDU-25-20-00007-EP</td>
<td>06/24/21</td>
<td>Professional Student of Nursing</td>
<td>To implement Chapter 502 of the Laws of 2017 and Chapter 380 of the Laws of 2018</td>
</tr>
<tr>
<td>EDU-25-20-00008-EP</td>
<td>06/24/21</td>
<td>Eligibility for Participation of Students With Section 504 or ADA Plans in Interschool Competition and Inclusive Athletics</td>
<td>To clarify the eligibility requirements for participation of students with section 504 or ADA plans in interschool competition</td>
</tr>
<tr>
<td>ERD-19-20-00012-P</td>
<td>05/13/21</td>
<td>CO2 Allowance Auction Program</td>
<td>Continued administration and implementation of the CO2 allowance auctions and programs under Part 507</td>
</tr>
<tr>
<td>ENV-36-19-00003-P</td>
<td>11/07/20</td>
<td>Stationary Combustion Installations</td>
<td>Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.</td>
</tr>
<tr>
<td>ENV-37-19-00003-P</td>
<td>09/10/20</td>
<td>Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations</td>
<td>To improve the review of projects by removing some project types that are known not to cause harm from the review stream</td>
</tr>
<tr>
<td>ENV-43-19-00010-P</td>
<td>01/06/21</td>
<td>Repeal and replace 6 NYCRR Part 622 and amend 6 NYCRR Part 624, Part 621 and Part 620</td>
<td>To incorporate procedural and legal developments, develop consistency &amp; reflect current practice in DEC hearings</td>
</tr>
<tr>
<td>ENV-53-19-00016-P</td>
<td>03/09/21</td>
<td>Certain substances that contain hydrofluorocarbons, highly-potent greenhouse gases</td>
<td>Remove greenhouse gas emission sources that endanger public health and the environment</td>
</tr>
<tr>
<td>ENV-04-20-00004-EP</td>
<td>01/28/21</td>
<td>Regulations governing commercial fishing of quota managed species.</td>
<td>To increase efficiency, reduce waste, and improve safety in marine commercial fisheries.</td>
</tr>
<tr>
<td>ENV-05-20-00001-P</td>
<td>04/10/21</td>
<td>Use of Ultra Low Sulfur Diesel Fuel and Best Available Retrofit Technology for Heavy Duty Vehicles</td>
<td>Updating to meet with statutory deadline</td>
</tr>
<tr>
<td>ENV-05-20-00002-P</td>
<td>04/10/21</td>
<td>Sulfur-in Fuel Limitations</td>
<td>Limit sulfur in liquid and solid fuels throughout NYS</td>
</tr>
<tr>
<td>ENV-06-20-00018-P</td>
<td>04/16/21</td>
<td>The repeal and replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles</td>
<td>To further reduce harmful volatile organic compounds (VOCs) emitted into the atmosphere.</td>
</tr>
<tr>
<td>ENV-06-20-00019-P</td>
<td>04/16/21</td>
<td>Consumer Products</td>
<td>Reduce Volatile Organic Compound emissions from Consumer Products - those products used in the average household.</td>
</tr>
<tr>
<td>ENV-06-20-00020-P</td>
<td>04/16/21</td>
<td>New Source Review requirements for proposed new major facilities and major modifications to existing facilities.</td>
<td>To conform to federal NSR rule requirements and related court rulings, correct typographical errors, and clarify rule language.</td>
</tr>
<tr>
<td>ENV-11-20-00002-P</td>
<td>03/18/21</td>
<td>Brookfield Trail System</td>
<td>To protect public safety and natural resources on the Brookfield Trail System</td>
</tr>
<tr>
<td>ENV-11-20-00004-EP</td>
<td>03/18/21</td>
<td>Management of sharks, squid and Atlantic cod</td>
<td>To revise regulations concerning size, trip, and possession limits for sharks, squid and Atlantic cod</td>
</tr>
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### ENVIRONMENTAL CONSERVATION, DEPARTMENT OF

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<tbody>
<tr>
<td>ENV-12-20-00001-EP</td>
<td>03/25/21</td>
<td>Regulations governing commercial fishing of Tautog (blackfish).</td>
<td>To revise regulations concerning the commercial harvest of Tautog in New York State.</td>
</tr>
<tr>
<td>ENV-14-20-00005-P</td>
<td>04/08/21</td>
<td>Chronic wasting disease.</td>
<td>Rectify an errant subdivision reference and reinstate sections of Part 189 that were inadvertently removed by a clerical error.</td>
</tr>
<tr>
<td>ENV-15-20-00015-EP</td>
<td>04/15/21</td>
<td>Regulations governing commercial and recreational fishing for striped bass.</td>
<td>To amend 6 NYCRR Parts 10 and 40 pertaining to commercial and recreational regulations for striped bass.</td>
</tr>
<tr>
<td>ENV-17-20-00005-P</td>
<td>04/29/21</td>
<td>The above referenced Parts make up the Department’s air pollution control permitting program.</td>
<td>The purpose of this rulemaking is to improve the clarity and consistency of the Department’s air pollution permitting program.</td>
</tr>
<tr>
<td>ENV-17-20-00006-P</td>
<td>04/29/21</td>
<td>Emission Statements</td>
<td>The purpose of this rulemaking is to require electronic submittal of annual emission statements beginning in 2022.</td>
</tr>
<tr>
<td>ENV-17-20-00007-P</td>
<td>04/29/21</td>
<td>CO2 Budget trading program</td>
<td>To lower the emissions cap established under Part 242.</td>
</tr>
<tr>
<td>ENV-21-20-00003-EP</td>
<td>05/27/21</td>
<td>Regulations governing the recreational harvest of bluefish</td>
<td>To revise regulations concerning the recreational harvest of bluefish in New York State.</td>
</tr>
<tr>
<td>ENV-22-20-00003-P</td>
<td>06/03/21</td>
<td>Amendments to New York State migratory game bird hunting regulations</td>
<td>To bring New York State migratory game bird hunting regulations into compliance with Federal Code of Regulations.</td>
</tr>
<tr>
<td>ENV-22-20-00004-P</td>
<td>06/03/21</td>
<td>Amendments to New York State mink, muskrat, and beaver trapping season dates</td>
<td>To align existing mink, muskrat and beaver trapping season start dates and adjust the seasons to trapper-preferred dates.</td>
</tr>
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### FINANCIAL SERVICES, DEPARTMENT OF

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<tbody>
<tr>
<td>*DFS-17-16-00003-P</td>
<td>exempt</td>
<td>Plan of Conversion by Commercial Travelers Mutual Insurance Company</td>
<td>To convert a mutual accident and health insurance company to a stock accident and health insurance company.</td>
</tr>
<tr>
<td>*DFS-25-18-00006-P</td>
<td>exempt</td>
<td>Plan of Conversion by Medical Liability Mutual Insurance Company</td>
<td>To convert a mutual property and casualty insurance company to a stock property and casualty insurance company.</td>
</tr>
<tr>
<td>DFS-33-19-00004-P</td>
<td>08/13/20</td>
<td>Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure</td>
<td>To set forth minimum standards for the content of health insurance identification cards.</td>
</tr>
<tr>
<td>DFS-43-19-00017-P</td>
<td>10/22/20</td>
<td>INDEPENDENT DISPUTE RESOLUTION FOR EMERGENCY SERVICES AND SURPRISE BILLS</td>
<td>To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided</td>
</tr>
<tr>
<td>DFS-11-20-00001-P</td>
<td>03/18/21</td>
<td>Corporate Governance</td>
<td>To require an authorized insurer to adopt a corporate governance framework and file an annual disclosure.</td>
</tr>
<tr>
<td>DFS-12-20-00002-EP</td>
<td>03/25/21</td>
<td>Reverse Mortgage Loans</td>
<td>To implement newly enacted Real Property Law section 280-b as soon as it goes into effect.</td>
</tr>
<tr>
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<tr>
<td><strong>FINANCIAL SERVICES, DEPARTMENT OF</strong></td>
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<tr>
<td><strong>GAMING COMMISSION, NEW YORK STATE</strong></td>
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<tr>
<td>SGC-22-20-00008-P</td>
<td>06/21</td>
<td>Permit harness horses to race without qualifying in extraordinary circumstances</td>
<td>To enhance harness racing in New York and promote a reasonable return for government</td>
</tr>
<tr>
<td>SGC-22-20-00009-P</td>
<td>06/21</td>
<td>Technical changes to correct cross-references in the regulations</td>
<td>To correct cross-references in the regulations</td>
</tr>
<tr>
<td><strong>GENERAL SERVICES, OFFICE OF</strong></td>
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</tr>
<tr>
<td>GNS-40-19-00005-P</td>
<td>10/01/20</td>
<td>Facility Use</td>
<td>To add “plastic knuckles” and remove “gravity knife” from the definition of “deadly weapon”</td>
</tr>
<tr>
<td><strong>HEALTH, DEPARTMENT OF</strong></td>
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<tr>
<td>*HLT-14-94-00006-P</td>
<td>exempt</td>
<td>Payment methodology for HIV/AIDS outpatient services</td>
<td>To expand the current payment to incorporate pricing for services</td>
</tr>
<tr>
<td>HLT-30-19-00006-RP</td>
<td>07/23/20</td>
<td>Maximum Contaminant Levels (MCLs)</td>
<td>Incorporating MCLs for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and 1,4-dioxane.</td>
</tr>
<tr>
<td>HLT-36-19-00006-P</td>
<td>09/03/20</td>
<td>Limits on Executive Compensation</td>
<td>Removes “Soft Cap” prohibition on covered executive salaries.</td>
</tr>
<tr>
<td>HLT-40-19-00004-P</td>
<td>10/01/20</td>
<td>Drug Take Back</td>
<td>To implement the State’s drug take back program to provide for the safe disposal of drugs</td>
</tr>
<tr>
<td>HLT-46-19-00003-P</td>
<td>11/12/20</td>
<td>Tanning Facilities</td>
<td>To prohibit the use of indoor tanning facilities by individuals less than 18 years of age</td>
</tr>
<tr>
<td>HLT-47-19-00008-P</td>
<td>11/19/20</td>
<td>Hospital Medical Staff - Limited Permit Holders</td>
<td>To repeal extra years of training required for limited permit holders to work in New York State hospitals.</td>
</tr>
<tr>
<td>HLT-47-19-00009-P</td>
<td>11/19/20</td>
<td>Empire Clinical Research Investigator Program (ECRIP)</td>
<td>To expand the types of &amp; change the time frames for past research grants that qualify staff to supervise the ECRIP project.</td>
</tr>
<tr>
<td>HLT-51-19-00001-P</td>
<td>12/17/20</td>
<td>Women, Infants and Children (WIC) Program</td>
<td>To support implementation of eWIC; clarify rules for violations, penalties &amp; hearings &amp; conform vendor authorization criteria.</td>
</tr>
<tr>
<td>HLT-53-19-00001-P</td>
<td>12/30/20</td>
<td>Prohibition on the Sale of Electronic Liquids with Characterizing Flavors</td>
<td>To prohibit the sale of electronic liquids with characterizing flavors</td>
</tr>
<tr>
<td>HLT-53-19-00011-P</td>
<td>12/30/20</td>
<td>Cardiac Services</td>
<td>To amend existing Certificate of Need requirements for approval of adult cardiac surgery centers.</td>
</tr>
<tr>
<td>HLT-53-19-00012-P</td>
<td>12/30/20</td>
<td>Consumer Directed Personal Assistance Program Reimbursement</td>
<td>To establish a program to pay home care services &amp; establish a methodology framework for the payment of PI administrative costs.</td>
</tr>
<tr>
<td>HLT-04-20-00002-P</td>
<td>01/28/21</td>
<td>Reducing Annual Tuberculosis Testing of Health Care Workers</td>
<td>To replace annual tuberculosis testing of health care workers.</td>
</tr>
<tr>
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<td><strong>HEALTH, DEPARTMENT OF</strong></td>
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<tr>
<td>HLT-04-20-00003-P</td>
<td>01/28/21</td>
<td>Applied Behavior Analysis</td>
<td>To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.</td>
</tr>
<tr>
<td>HLT-04-20-00011-P</td>
<td>01/28/21</td>
<td>Nursing Home Case Mix Rationalization</td>
<td>To authorize the Department of Health to change the case mix acuity process for all nursing homes.</td>
</tr>
<tr>
<td>HLT-04-20-00012-P</td>
<td>01/28/21</td>
<td>State Aid for Public Health Services: Counties and Cities</td>
<td>Clarifying State Aid payments for maintaining a cooling tower program.</td>
</tr>
<tr>
<td>HLT-11-20-00003-P</td>
<td>03/18/21</td>
<td>Adult Day Health Care (ADHC)</td>
<td>To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program</td>
</tr>
<tr>
<td><strong>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</strong></td>
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</tr>
<tr>
<td><em>HCR-21-19-00019-P</em></td>
<td>07/21/20</td>
<td>Low-Income Housing Qualified Allocation Plan</td>
<td>To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits.</td>
</tr>
<tr>
<td>HCR-26-20-00012-EP</td>
<td>09/09/21</td>
<td>Schedule of Reasonable Costs for Major Capital Improvements in rent regulated housing accommodations</td>
<td>Provide a schedule of reasonable costs for Major Capital Improvements in rent regulated housing accommodations</td>
</tr>
<tr>
<td><strong>HOUSING FINANCE AGENCY</strong></td>
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<tr>
<td><em>HFA-21-19-00020-P</em></td>
<td>07/21/20</td>
<td>Low-Income Housing Qualified Allocation Plan</td>
<td>To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits</td>
</tr>
<tr>
<td><strong>HUDSON RIVER PARK TRUST</strong></td>
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<tr>
<td>HPT-19-20-00011-P</td>
<td>05/13/21</td>
<td>Amendment of rules and regulations for Hudson River Park</td>
<td>To create a new penalty schedule for the enforcement of violations of Park rules</td>
</tr>
<tr>
<td><strong>LABOR, DEPARTMENT OF</strong></td>
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</tr>
<tr>
<td>LAB-46-19-00004-P</td>
<td>11/12/20</td>
<td>NY State Public Employees Occupational Safety and Health Standards</td>
<td>To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards</td>
</tr>
<tr>
<td><strong>LAW, DEPARTMENT OF</strong></td>
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</tr>
<tr>
<td>LAW-15-20-00017-P</td>
<td>04/15/21</td>
<td>investment advisers defined under GBL § 359-eee</td>
<td>Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.</td>
</tr>
<tr>
<td>LAW-15-20-00018-P</td>
<td>04/15/21</td>
<td>Brokers, dealers and salespersons defined under GBL § 359-e</td>
<td>Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.</td>
</tr>
<tr>
<td>LAW-18-20-00002-P</td>
<td>05/06/21</td>
<td>Designation of a Privacy Officer</td>
<td>Removal of a named Privacy Officer, along with their contact information</td>
</tr>
<tr>
<td><strong>LONG ISLAND POWER AUTHORITY</strong></td>
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</tr>
<tr>
<td><em>LPA-08-01-00003-P</em></td>
<td>exempt</td>
<td>Pole attachments and related matters</td>
<td>To approve revisions to the authority's tariff</td>
</tr>
<tr>
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</tr>
<tr>
<td>*LPA-41-02-00005-P</td>
<td>............. exempt</td>
<td>Tariff for electric service</td>
<td>To revise the tariff for electric service</td>
</tr>
<tr>
<td>*LPA-04-06-00007-P</td>
<td>............. exempt</td>
<td>Tariff for electric service</td>
<td>To adopt provisions of a ratepayer protection plan</td>
</tr>
<tr>
<td>*LPA-03-10-00004-P</td>
<td>............. exempt</td>
<td>Residential late payment charges</td>
<td>To extend the application of late payment charges to residential customers</td>
</tr>
<tr>
<td>*LPA-15-18-00013-P</td>
<td>............. exempt</td>
<td>Outdoor area lighting</td>
<td>To add an option and pricing for efficient LED lamps to the Authority’s outdoor area lighting</td>
</tr>
<tr>
<td>*LPA-37-18-00013-P</td>
<td>............. exempt</td>
<td>The net energy metering provisions of the Authority’s Tariff for Electric Service</td>
<td>To implement PSC guidance increasing eligibility for value stack compensation to larger projects</td>
</tr>
<tr>
<td>*LPA-37-18-00017-P</td>
<td>............. exempt</td>
<td>The treatment of electric vehicle charging in the Authority’s Tariff for Electric Service.</td>
<td>To effectuate the outcome of the Public Service Commission’s proceeding on electric vehicle supply equipment.</td>
</tr>
<tr>
<td>*LPA-37-18-00018-P</td>
<td>............. exempt</td>
<td>The treatment of energy storage in the Authority’s Tariff for Electric Service.</td>
<td>To effectuate the outcome of the Public Service Commission’s proceeding on the NY Energy Storage Roadmap.</td>
</tr>
<tr>
<td>LPA-09-20-00010-P</td>
<td>............. exempt</td>
<td>To update and implement latest requirements for ESCOs proposing to do business within the Authority’s service territory.</td>
<td>To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.</td>
</tr>
</tbody>
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**LONG ISLAND RAILROAD COMPANY**

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<tbody>
<tr>
<td>LIR-20-20-00005-EP</td>
<td>............. 05/20/21</td>
<td>The conduct and safety of the public in the use of terminals, stations, and trains operated by The Long Island Railroad Company</td>
<td>To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminals and stations</td>
</tr>
</tbody>
</table>

**MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY**

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<tbody>
<tr>
<td>MBA-20-20-00002-EP</td>
<td>............. 05/20/21</td>
<td>The conduct and safety of the public in the use of facilities and conveyances operated by the MaBSTOA</td>
<td>To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of the transit system</td>
</tr>
</tbody>
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**MENTAL HEALTH, OFFICE OF**

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<tbody>
<tr>
<td>OMH-47-19-00001-P</td>
<td>............. 11/19/20</td>
<td>Limits on Executive Compensation</td>
<td>To eliminate “soft cap” restrictions on compensation.</td>
</tr>
<tr>
<td>OMH-12-20-00003-P</td>
<td>............. 03/25/21</td>
<td>Uncompensated care funds issued pursuant to the Indigent Care Program.</td>
<td>To ensure the appropriate allocation of uncompensated care funds.</td>
</tr>
<tr>
<td>OMH-18-20-00003-P</td>
<td>............. 05/06/21</td>
<td>Clinic Treatment Plans</td>
<td>To provide more flexibility in the development and execution of an individual’s treatment plan</td>
</tr>
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**METRO-NORTH COMMUTER RAILROAD**

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<tr>
<td>MCR-20-20-00004-EP</td>
<td>............. 05/20/21</td>
<td>The conduct and safety of the public in the use of terminal, stations, and trains operated by Metro-North Commuter Railroad</td>
<td>To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminal and stations</td>
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<tr>
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<tr>
<td>MTA-23-19-00006-ERP</td>
<td>09/02/20</td>
<td>Debarment of contractors</td>
<td>To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors</td>
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<td>MTV-07-20-00005-P</td>
<td>02/18/21</td>
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<td>To establish procedures for the electronic transmission of data by dismantlers and scrap processors</td>
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<tr>
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<td>The conduct and safety of the public in the use of facilities and conveyances operated by New York City Transit Authority</td>
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</tr>
<tr>
<td>*NFW-04-13-00004-EP</td>
<td><strong>exempt</strong></td>
<td>Adoption of Rates, Fees and Charges</td>
<td>To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders</td>
</tr>
<tr>
<td>*NFW-13-14-00006-EP</td>
<td><strong>exempt</strong></td>
<td>Adoption of Rates, Fees and Charges</td>
<td>To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders</td>
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<tr>
<td>*OBA-33-18-00019-P</td>
<td><strong>exempt</strong></td>
<td>Increase in Bridge Toll Structure</td>
<td>To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.</td>
</tr>
<tr>
<td>*OBA-07-19-00019-P</td>
<td><strong>exempt</strong></td>
<td>Increase in Bridge Toll Structure</td>
<td>To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.</td>
</tr>
<tr>
<td>PKR-23-20-00005-EP</td>
<td>06/10/21</td>
<td>face coverings, social distancing and dispersal of groups not from the same household or family unit</td>
<td>To encourage patrons to wear face coverings or stay six feet away from other patrons and not congregate in groups at parks</td>
</tr>
<tr>
<td>*PAS-01-10-00010-P</td>
<td><strong>exempt</strong></td>
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<tr>
<td>*PSC-09-99-00012-P</td>
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<td>Transfer of books and records by Citizens Utilities Company</td>
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<tr>
<td>*PSC-15-99-00011-P</td>
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<td>PSC-12-00-00001-P</td>
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<td>To revise the date</td>
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<td>PSC-36-03-00010-P</td>
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<tr>
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<tr>
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<td>Application form for distributed generation by Orange and Rockland Utilities, Inc.</td>
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<td>.</td>
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<td>. . . . . . exempt</td>
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</tr>
<tr>
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<tr>
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<tr>
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<tr>
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<td>*PSC-22-06-00022-P</td>
<td>. . . . . . exempt</td>
<td>Hourly pricing by Consolidated Edison Company of New York, Inc.</td>
<td>To assess the impacts</td>
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<td>*PSC-22-06-00023-P</td>
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<td>Hourly pricing by Orange and Rockland Utilities, Inc.</td>
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<tr>
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<td>*PSC-37-06-00017-P</td>
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<tr>
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<td>To modify the company's response to power outages, the timing for any such changes and other related matters</td>
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<tr>
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<td>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</td>
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<td>To grant easement rights to Millennium Pipeline Company, L.L.C.</td>
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<td>. . . . . . exempt</td>
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<tr>
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<td>Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation</td>
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<tr>
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<td>Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation</td>
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<tr>
<td>*PSC-13-08-00011-P</td>
<td>. . . . . . exempt</td>
<td>Waiver of commission policy and NYSEG tariff by Turner Engineering, PC</td>
<td>To grant or deny Turner’s petition</td>
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<tr>
<td>*PSC-13-08-00012-P</td>
<td>. . . . . . exempt</td>
<td>Voltage drops by New York State Electric &amp; Gas Corporation</td>
<td>To grant or deny the petition</td>
</tr>
<tr>
<td>*PSC-23-08-00008-P</td>
<td>. . . . . . exempt</td>
<td>Petition requesting rehearing and clarification of the commission’s April 25, 2008 order denying petition of public utility law project</td>
<td>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</td>
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<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-31-19-00015-P</td>
<td>. . . . . . exempt</td>
<td>Proposed major rate increase in KEDNY’s gas delivery revenues by $236.8 million (13.6% increase in total revenues).</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-31-19-00016-P</td>
<td>. . . . . . exempt</td>
<td>Proposed major rate increase in KEDLI’s gas delivery revenues of approximately $49.4 million (or 4.1% in total revenues).</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-32-19-00012-P</td>
<td>. . . . . . exempt</td>
<td>Standby Service Rates and Buyback Service Rates</td>
<td>To ensure just and reasonable rates, including compensation, for distributed energy resources</td>
</tr>
<tr>
<td>PSC-34-19-00015-P</td>
<td>. . . . . . exempt</td>
<td>Major electric rate filing.</td>
<td>To consider a proposed increase in RG&amp;E’s electric delivery revenues of approximately $31.7 million (or 4.1% in total revenues).</td>
</tr>
<tr>
<td>PSC-34-19-00016-P</td>
<td>. . . . . . exempt</td>
<td>Major gas rate filing.</td>
<td>To consider a proposed increase in RG&amp;E’s gas delivery revenues of approximately $5.8 million (or 1.4% in total revenues).</td>
</tr>
<tr>
<td>PSC-34-19-00018-P</td>
<td>. . . . . . exempt</td>
<td>Major electric rate filing.</td>
<td>To consider a proposed increase in NYSEG’s electric delivery revenues of approximately $156.7 million (10.4% in total revenues).</td>
</tr>
<tr>
<td>PSC-34-19-00020-P</td>
<td>. . . . . . exempt</td>
<td>Major gas rate filing.</td>
<td>To consider a proposed increase in NYSEG’s gas delivery revenues of approximately $6.3 million (or 1.4% in total revenues).</td>
</tr>
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<tr>
<td>PSC-36-19-00011-P</td>
<td>. . . . . . exempt</td>
<td>Minor electric rate filing to increase annual electric revenues.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-38-19-00002-P</td>
<td>. . . . . . exempt</td>
<td>Petition to submeter electricity</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-39-19-00018-P</td>
<td>. . . . . . exempt</td>
<td>Petition to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-41-19-00003-P</td>
<td>. . . . . . exempt</td>
<td>A voluntary residential three-part rate that would include fixed, usage and demand charges.</td>
<td>To provide qualifying residential customers with an optional three-part rate.</td>
</tr>
<tr>
<td>PSC-43-19-00014-P</td>
<td>. . . . . . exempt</td>
<td>Petition for the use of electric metering equipment.</td>
<td>To ensure that consumer bills are based on accurate measurements of electric usage.</td>
</tr>
<tr>
<td>PSC-44-19-00003-P</td>
<td>. . . . . . exempt</td>
<td>Proposed revisions to Standby Service Rates and Buyback Service Rates.</td>
<td>To ensure just and reasonable rates, including compensation, for distributed energy resources.</td>
</tr>
<tr>
<td>PSC-44-19-00005-P</td>
<td>. . . . . . exempt</td>
<td>Proposed revisions to Standby Service Rates and Buyback Service Rates.</td>
<td>To ensure just and reasonable rates, including compensation, for distributed energy resources.</td>
</tr>
<tr>
<td>PSC-44-19-00006-P</td>
<td>. . . . . . exempt</td>
<td>Proposed revisions to Standby Service Rates and Buyback Service Rates.</td>
<td>To ensure just and reasonable rates, including compensation, for distributed energy resources.</td>
</tr>
<tr>
<td>PSC-44-19-00007-P</td>
<td>. . . . . . exempt</td>
<td>Proposed revisions to Standby Service Rates and Buyback Service Rates.</td>
<td>To ensure just and reasonable rates, including compensation, for distributed energy resources.</td>
</tr>
<tr>
<td>PSC-44-19-00008-P</td>
<td>. . . . . . exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-44-19-00009-P</td>
<td>. . . . . . exempt</td>
<td>Proposed revisions to Standby Service Rates and Buyback Service Rates.</td>
<td>To ensure just and reasonable rates, including compensation, for distributed energy resources.</td>
</tr>
<tr>
<td>PSC-45-19-00012-P</td>
<td>. . . . . . exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-46-19-00008-P</td>
<td>. . . . . . exempt</td>
<td>Wappingers Falls Hydroelectric LLC’s facility located in Wappingers Falls, New York.</td>
<td>To promote and maintain renewable electric energy resources.</td>
</tr>
<tr>
<td>PSC-46-19-00010-P</td>
<td>. . . . . . exempt</td>
<td>To test innovative rate designs on an opt-out basis.</td>
<td>To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals.</td>
</tr>
<tr>
<td>PSC-48-19-00007-P</td>
<td>. . . . . . exempt</td>
<td>Extension of the State Universal Service Fund.</td>
<td>To continue to provide universal service at a reasonable rate in certain service territories.</td>
</tr>
<tr>
<td>PSC-50-19-00004-P</td>
<td>. . . . . . exempt</td>
<td>Petition to submeter electricity and waiver of energy audit.</td>
<td>To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.</td>
</tr>
<tr>
<td>PSC-52-19-00001-P</td>
<td>. . . . . . exempt</td>
<td>SUEZ Water New York Inc.’s acquisition of 100% of Heritage Hills Water Works Corporation’s assets.</td>
<td>To determine if the proposed acquisition is in the public interest.</td>
</tr>
<tr>
<td>PSC-52-19-00003-P</td>
<td>. . . . . . exempt</td>
<td>Notice of intent to submeter electricity and waiver of energy audit.</td>
<td>To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.</td>
</tr>
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<tr>
<td>PSC-52-19-00005-P</td>
<td>exempt</td>
<td>Compensation of and rates for distributed energy resources.</td>
<td>To encourage the development of and ensure just and reasonable rates for distributed energy resources.</td>
</tr>
<tr>
<td>PSC-52-19-00006-P</td>
<td>exempt</td>
<td>Authorization to defer pension settlement losses.</td>
<td>To address the ratemaking related to the pension settlement losses.</td>
</tr>
<tr>
<td>PSC-53-19-00006-P</td>
<td>exempt</td>
<td>To amend the terms to which the customer must abide when discontinuing gas service.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.</td>
</tr>
<tr>
<td>PSC-53-19-00007-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-03-20-00009-P</td>
<td>exempt</td>
<td>Changes to the Utility Energy Registry</td>
<td>To determine appropriate rules for data availability.</td>
</tr>
<tr>
<td>PSC-04-20-00014-P</td>
<td>exempt</td>
<td>Transfer of the Indian Point site, nuclear waste, and decommissioning and site restoration funds from Entergy to Holtec.</td>
<td>To protect the public interest.</td>
</tr>
<tr>
<td>PSC-05-20-00003-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-05-20-00004-P</td>
<td>exempt</td>
<td>A statewide Make-Ready Program that would provide incentives to deploy EVSE&amp;I to charge light duty electric vehicles (EV).</td>
<td>To deploy the infrastructure needed to meet the State’s goals of 850,000 EVs by 2025 and recommend appropriate utility roles.</td>
</tr>
<tr>
<td>PSC-05-20-00007-P</td>
<td>exempt</td>
<td>Petition to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-06-20-00012-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-06-20-00013-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-06-20-00014-P</td>
<td>exempt</td>
<td>A program for the procurement of Renewable Energy Certificates from existing renewable resources.</td>
<td>To purchase Renewable Energy Certificates and maintain the State’s baseline of existing renewable resources.</td>
</tr>
<tr>
<td>PSC-06-20-00016-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity and waiver of energy audit.</td>
<td>To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.</td>
</tr>
<tr>
<td>PSC-06-20-00017-P</td>
<td>exempt</td>
<td>Petitions for rehearing, reconsideration, clarification and stay of the December 12, 2019 Order.</td>
<td>To determine whether the Commission should grant, deny, or modify the relief sought and actions proposed by Petitioners.</td>
</tr>
<tr>
<td>PSC-07-20-00008-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-07-20-00010-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-08-20-00003-P</td>
<td>exempt</td>
<td>PSC regulation 16 NYCRR § § 86.3(a)(2) and 86.3(b)(2).</td>
<td>To consider a waiver of certain regulations relating to the content of an application for transmission line siting.</td>
</tr>
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<tr>
<td>PSC-08-20-00004-P</td>
<td>exempt</td>
<td>Waiver of provisions and service agreement.</td>
<td>To consider if the waiver and the proposed terms of a service agreement are in the public interest.</td>
</tr>
<tr>
<td>PSC-08-20-00006-P</td>
<td>exempt</td>
<td>To establish procedures and modify terminology for Underground Residential Distribution Systems.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-09-20-00002-P</td>
<td>exempt</td>
<td>Request for waiver of 16 NYCRR 96.5(k)(3).</td>
<td>To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.</td>
</tr>
<tr>
<td>PSC-09-20-00003-P</td>
<td>exempt</td>
<td>Proposed transfer of the Company's assets to the Town and dissolution of the Company.</td>
<td>To determine if transfer of the water system to the Town of North Greenbush is in the public interest.</td>
</tr>
<tr>
<td>PSC-09-20-00004-P</td>
<td>exempt</td>
<td>Petition to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-09-20-00005-P</td>
<td>exempt</td>
<td>Petition for the use of gas metering equipment.</td>
<td>To ensure that consumer bills are based on accurate measurements of gas usage.</td>
</tr>
<tr>
<td>PSC-09-20-00006-P</td>
<td>exempt</td>
<td>Petition for the use of an electric meter in submetering applications.</td>
<td>Whether to permit the use of the GG electric meter in submetering applications in New York State.</td>
</tr>
<tr>
<td>PSC-10-20-00003-P</td>
<td>exempt</td>
<td>The Commission's statewide low-income discount policy.</td>
<td>To consider modifications to certain conditions regarding utility low-income discount programs.</td>
</tr>
<tr>
<td>PSC-10-20-00004-P</td>
<td>exempt</td>
<td>Recovery of extraordinary repair expenses and establishment of an escrow account.</td>
<td>To consider if the proposed escrow account is in the public interest.</td>
</tr>
<tr>
<td>PSC-10-20-00005-P</td>
<td>exempt</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether Family Energy, Inc. should be granted a waiver to offer two “green gas” products to mass market customers.</td>
</tr>
<tr>
<td>PSC-10-20-00006-P</td>
<td>exempt</td>
<td>Petition to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-11-20-00006-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-11-20-00007-P</td>
<td>exempt</td>
<td>Deferral and recovery of incremental costs and establishment of an extraordinary repair escrow account.</td>
<td>To consider deferring costs related to water main leak repairs for subsequent recovery and establishment of an escrow account.</td>
</tr>
<tr>
<td>PSC-11-20-00008-P</td>
<td>exempt</td>
<td>Revisions to the proration tariff language.</td>
<td>To consider revisions to the proration tariff language under Leaf 18.1, 18 61 to 64 and Leaf 69.</td>
</tr>
<tr>
<td>PSC-11-20-00009-P</td>
<td>exempt</td>
<td>Proposed transfer of water supply assets.</td>
<td>To determine whether the transfer of assets from Whitlock to NYAW is in the public interest.</td>
</tr>
<tr>
<td>PSC-11-20-00011-P</td>
<td>exempt</td>
<td>Application of the Public Service Law to owners of a proposed 345 kilovolt (kV) transmission line providing wholesale services.</td>
<td>To determine whether to apply a lightened regulatory regime to the owners of a proposed 345 kV transmission line.</td>
</tr>
<tr>
<td>PSC-12-20-00007-P</td>
<td>exempt</td>
<td>Request for waiver of tariff provision.</td>
<td>Consideration of a request for waiver of tariff provision.</td>
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<tr>
<td>PSC-12-20-00008-P</td>
<td>exempt</td>
<td>Delivery rates of Corning Natural Gas Corporation.</td>
<td>Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.</td>
</tr>
<tr>
<td>PSC-12-20-00009-P</td>
<td>exempt</td>
<td>Clarify language regarding treatment of multi-unit buildings in CDG projects.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-12-20-00010-P</td>
<td>exempt</td>
<td>Direct Energy, LLC’s Green Gas Products.</td>
<td>To consider whether Direct Energy, LLC should be allowed to offer two Green Gas Products to mass market customers.</td>
</tr>
<tr>
<td>PSC-12-20-00011-P</td>
<td>exempt</td>
<td>Sale of facilities.</td>
<td>To consider whether the sale of facilities is in the public interest.</td>
</tr>
<tr>
<td>PSC-12-20-00013-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00014-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00015-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00016-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00017-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00018-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
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<tr>
<td>PSC-12-20-00019-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00020-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00021-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-12-20-00022-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-13-20-00006-P</td>
<td>exempt</td>
<td>Utility capital expenditure proposal.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-13-20-00007-P</td>
<td>exempt</td>
<td>Request for waiver of 16 NYCRR § 96.5(k)(3).</td>
<td>To ensure adequate energy efficiency protections are in place.</td>
</tr>
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<tr>
<td>PSC-13-20-00008-P</td>
<td>exempt</td>
<td>Transfer of street light facilities.</td>
<td>To consider the transfer of street lighting facilities to the Village of Lancaster.</td>
</tr>
<tr>
<td>PSC-15-20-00005-EP</td>
<td>exempt</td>
<td>Postponement of delivery rate and System Improvement Charge (SIC) increases and implementation of a make whole surcharge.</td>
<td>To assist customers in a time of hardship.</td>
</tr>
<tr>
<td>PSC-15-20-00011-P</td>
<td>exempt</td>
<td>To modify the terms and conditions under which gas utilities provide service to electric generators.</td>
<td>To provide clarity and uniformity to the provision of gas service to electric generators.</td>
</tr>
<tr>
<td>PSC-15-20-00012-P</td>
<td>exempt</td>
<td>Tariff filing.</td>
<td>To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.</td>
</tr>
<tr>
<td>PSC-15-20-00013-P</td>
<td>exempt</td>
<td>Ownership of New York American Water Company, Inc.</td>
<td>To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.</td>
</tr>
<tr>
<td>PSC-15-20-00014-P</td>
<td>exempt</td>
<td>Tariff filing.</td>
<td>To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.</td>
</tr>
<tr>
<td>PSC-16-20-00001-EP</td>
<td>exempt</td>
<td>Suspension of deadline in Standard Interconnection Requirements (SIR).</td>
<td>To prevent unnecessary cancellation of distributed generation and energy storage system projects based on the State of Emergency.</td>
</tr>
<tr>
<td>PSC-16-20-00003-P</td>
<td>exempt</td>
<td>Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.</td>
<td>To establish a multi-year and auto-DLM programs that will improve demand response program offerings.</td>
</tr>
<tr>
<td>PSC-16-20-00004-P</td>
<td>exempt</td>
<td>Disposition of a state sales tax refund.</td>
<td>To determine how much of a state sales tax refund should be retained by Central Hudson.</td>
</tr>
<tr>
<td>PSC-16-20-00005-P</td>
<td>exempt</td>
<td>Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.</td>
<td>To establish a multi-year and auto-DLM programs that will improve demand response program offerings.</td>
</tr>
<tr>
<td>PSC-16-20-00006-P</td>
<td>exempt</td>
<td>Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.</td>
<td>To establish a multi-year and auto-DLM programs that will improve demand response program offerings.</td>
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<tr>
<td>PSC-16-20-00007-P</td>
<td>exempt</td>
<td>Proposed plan to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.</td>
<td>To establish a multi-year and auto-DLM programs that will improve demand response program offerings.</td>
</tr>
<tr>
<td>PSC-16-20-00008-P</td>
<td>exempt</td>
<td>Extension of the ESA between New York State Electric &amp; Gas Corporation and Nucor Steel Auburn, Inc.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preference.</td>
</tr>
<tr>
<td>PSC-16-20-00009-P</td>
<td>exempt</td>
<td>Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.</td>
<td>To establish a multi-year and auto-DLM programs that will improve demand response program offerings.</td>
</tr>
<tr>
<td>PSC-16-20-00010-P</td>
<td>exempt</td>
<td>Transfer of street light facilities.</td>
<td>To consider the transfer of street lighting facilities to the Town of Clifton Park.</td>
</tr>
<tr>
<td>PSC-16-20-00011-P</td>
<td>exempt</td>
<td>Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.</td>
<td>To establish a multi-year and auto-DLM programs that will improve demand response program offerings.</td>
</tr>
<tr>
<td>PSC-17-20-00008-P</td>
<td>exempt</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether Alpha Gas &amp; Electric, LLC should be permitted to offer its Green Gas Program to mass market customers.</td>
</tr>
<tr>
<td>PSC-17-20-00009-P</td>
<td>exempt</td>
<td>Proposed filing to provide credits for AMI non-residential customer sided meters.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>PSC-17-20-00010-P</td>
<td>exempt</td>
<td>Tariff provisions for Non-Firm Demand Response service classes.</td>
<td>To consider appropriate tariff provisions for non-compliant Non-Firm Demand Response service customers.</td>
</tr>
<tr>
<td>PSC-17-20-00011-P</td>
<td>exempt</td>
<td>Tariff provisions for Non-Firm Demand Response service classes.</td>
<td>To consider appropriate tariff provisions for non-compliant Non-Firm Demand Response service customers.</td>
</tr>
<tr>
<td>PSC-17-20-00012-P</td>
<td>exempt</td>
<td>Tariff provisions for Interruptible and Off-Peak Firm Service Gas Customers.</td>
<td>To consider appropriate tariff provisions for non-compliant Interruptible and Off-Peak Firm Gas Customers.</td>
</tr>
<tr>
<td>PSC-18-20-00001-EP</td>
<td>exempt</td>
<td>Extension of time for gas companies to complete baseline atmospheric corrosion inspections and leakage surveys.</td>
<td>To protect utility workers and customers from virus exposure during the COVID-19 pandemic.</td>
</tr>
<tr>
<td>PSC-18-20-00012-P</td>
<td>exempt</td>
<td>The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.</td>
<td>To revise the price to be paid by the Company under Service Classification No. 10. for qualifying purchases of unforced capacity.</td>
</tr>
<tr>
<td>PSC-18-20-00013-P</td>
<td>exempt</td>
<td>Transfer of street light facilities.</td>
<td>To consider the transfer of street lighting facilities to the Village of Clyde.</td>
</tr>
<tr>
<td>PSC-18-20-00014-P</td>
<td>exempt</td>
<td>Tariff modifications to reduce customer costs related to relocating customer owned equipment for back-lot service relocations.</td>
<td>To facilitate the relocation of service lines owned by customers from the back of their lots to the front.</td>
</tr>
<tr>
<td>PSC-18-20-00015-P</td>
<td>exempt</td>
<td>Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.</td>
<td>Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.</td>
</tr>
<tr>
<td>PSC-19-20-00003-P</td>
<td>exempt</td>
<td>Continued implementation of the Clean Energy Standard.</td>
<td>To promote and maintain renewable and zero-emission electric energy resources.</td>
</tr>
<tr>
<td>Agency I.D. No.</td>
<td>Expires</td>
<td>Subject Matter</td>
<td>Purpose of Action</td>
</tr>
<tr>
<td>----------------</td>
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<td>-------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>PSC-19-20-00004-P</td>
<td>..........</td>
<td>Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.</td>
</tr>
<tr>
<td>PSC-19-20-00005-P</td>
<td>..........</td>
<td>Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.</td>
<td>To provide cost recovery for new DLM programs and prevent double compensation to participating customers.</td>
</tr>
<tr>
<td>PSC-19-20-00006-P</td>
<td>..........</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-19-20-00007-P</td>
<td>..........</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-19-20-00008-P</td>
<td>..........</td>
<td>Review of CECPN ownership transfer and related assets among CHPE, Inc., CHPE Properties, Inc., and CHPE, LLC</td>
<td>To consider the transfer of the CECPN and assets related to the Champlain Hudson Power Express Project.</td>
</tr>
<tr>
<td>PSC-21-20-00005-P</td>
<td>..........</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether Kiwi Energy NY LLC should be permitted to offer its Green Gas Products to mass market customers.</td>
</tr>
<tr>
<td>PSC-21-20-00006-P</td>
<td>..........</td>
<td>Transfer of street lighting facilities.</td>
<td>To consider the transfer of street lighting facilities to the Village of Dryden.</td>
</tr>
<tr>
<td>PSC-21-20-00007-P</td>
<td>..........</td>
<td>The methodology for the calculation of reactive power demand.</td>
<td>To revise the methodology for the calculation of reactive power demand.</td>
</tr>
<tr>
<td>PSC-21-20-00008-P</td>
<td>..........</td>
<td>Waiver of tariff rules and a related Commission regulation.</td>
<td>To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.</td>
</tr>
<tr>
<td>PSC-21-20-00009-P</td>
<td>..........</td>
<td>Consideration of the NFG petition to modify Audit Implementation Plans.</td>
<td>To consider if modifying the Audit Implementation Plans are in the public interest.</td>
</tr>
<tr>
<td>PSC-21-20-00010-P</td>
<td>..........</td>
<td>Transfer of street light facilities.</td>
<td>To consider the transfer of street lighting facilities to the Town of Thompson.</td>
</tr>
<tr>
<td>PSC-22-20-00001-EP</td>
<td>..........</td>
<td>Modifications to electric utility dynamic load management (DLM) demand reduction programs.</td>
<td>To encourage DLM participation in summer 2020 capability period despite uncertainty due to the State Disaster Emergency.</td>
</tr>
<tr>
<td>PSC-22-20-00005-P</td>
<td>..........</td>
<td>Waiver of certain Commission requirements related to the distribution of telephone directories.</td>
<td>To reduce unnecessary waste and disposal of directory listings.</td>
</tr>
<tr>
<td>PSC-22-20-00006-P</td>
<td>..........</td>
<td>Proposed tariff amendment regarding the billing of customers participating in the Preservation Power Program.</td>
<td>To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.</td>
</tr>
<tr>
<td>Agency I.D. No.</td>
<td>Expires</td>
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</tr>
<tr>
<td>PSC-22-20-00007-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-23-20-00007-P</td>
<td>exempt</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether American Power &amp; Gas LLC should be permitted to offer its Green Gas Products to mass market customers.</td>
</tr>
<tr>
<td>PSC-23-20-00008-P</td>
<td>exempt</td>
<td>Disposition of sales tax refund and other related matters.</td>
<td>To consider the appropriate allocation of the sales tax refund proceeds while balancing ratepayer and shareholder interests.</td>
</tr>
<tr>
<td>PSC-23-20-00009-P</td>
<td>exempt</td>
<td>Adjustments to the Non-Firm Revenue Sharing Mechanism.</td>
<td>To adjust the Non-Firm Revenue Sharing mechanism to increase firm customer sharing.</td>
</tr>
<tr>
<td>PSC-23-20-00010-P</td>
<td>exempt</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether AmeriChoice Energy should be permitted to offer its Green Gas Products to mass market customers.</td>
</tr>
<tr>
<td>PSC-24-20-00012-EP</td>
<td>exempt</td>
<td>Further postponement of a rate increase and waiver of a tariff rule.</td>
<td>To assist customers in a time of hardship.</td>
</tr>
<tr>
<td>PSC-24-20-00013-EP</td>
<td>exempt</td>
<td>Further postponement of the annual update of the low income discount credits.</td>
<td>To assist customers in a time of hardship.</td>
</tr>
<tr>
<td>PSC-24-20-00016-P</td>
<td>exempt</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether the NRG Retail Companies should be permitted to offer Green Gas Products in New York.</td>
</tr>
<tr>
<td>PSC-24-20-00017-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-24-20-00019-P</td>
<td>exempt</td>
<td>Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC’s operation and maintenance of the SUSS and muni agreements.</td>
<td>To review a contract to operate, maintain and modernize the SUSS and three municipal road use agreements.</td>
</tr>
<tr>
<td>PSC-25-20-00009-P</td>
<td>exempt</td>
<td>Petition for the use of electric metering equipment.</td>
<td>To ensure that consumer bills are based on accurate measurements of electric usage.</td>
</tr>
<tr>
<td>PSC-25-20-00010-P</td>
<td>exempt</td>
<td>Whitepaper regarding energy service company financial assurance requirements.</td>
<td>To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.</td>
</tr>
<tr>
<td>Agency I.D. No.</td>
<td>Expires</td>
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</tr>
<tr>
<td>PSC-25-20-00011-P</td>
<td>exempt</td>
<td>Notice of intent to submeter electricity.</td>
<td>To ensure adequate submetering equipment and consumer protections are in place.</td>
</tr>
<tr>
<td>PSC-25-20-00012-P</td>
<td>exempt</td>
<td>Petition to submeter electricity.</td>
<td>To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.</td>
</tr>
<tr>
<td>PSC-25-20-00013-P</td>
<td>exempt</td>
<td>Changes to PSL Section 66-p relating to billing information for residential rental premises.</td>
<td>To establish provisions as necessary to effectuate PSL Section 66-p.</td>
</tr>
<tr>
<td>PSC-25-20-00014-P</td>
<td>exempt</td>
<td>Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.</td>
<td>To consider whether South Bay Energy Corp. should be permitted to offer Green Gas Products to mass market customers in New York.</td>
</tr>
<tr>
<td>PSC-25-20-00015-P</td>
<td>exempt</td>
<td>Staff whitepaper on a Data Access Framework.</td>
<td>To standardize the necessary privacy and cybersecurity requirements for access to energy-related data.</td>
</tr>
<tr>
<td>PSC-25-20-00016-P</td>
<td>exempt</td>
<td>Modifications to the Low-Income Affordability program.</td>
<td>To address the economic impacts of the COVID-19 pandemic.</td>
</tr>
<tr>
<td>PSC-25-20-00018-P</td>
<td>exempt</td>
<td>Staff’s whitepaper proposing an IEDR.</td>
<td>To collect and integrate a large and diverse set of energy-related information and data on one statewide platform.</td>
</tr>
<tr>
<td>PSC-25-20-00019-P</td>
<td>exempt</td>
<td>A Clean Energy Resources Development and Incentives Program.</td>
<td>To identify and develop renewable energy project sites for competitive auction to private developers.</td>
</tr>
<tr>
<td>PSC-25-20-00020-P</td>
<td>exempt</td>
<td>Transfer of street lighting facilities.</td>
<td>To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.</td>
</tr>
<tr>
<td>PSC-26-20-00004-EP</td>
<td>exempt</td>
<td>Postponement of a rate increase.</td>
<td>To assist customers in a time of hardship.</td>
</tr>
<tr>
<td>PSC-26-20-00005-EP</td>
<td>exempt</td>
<td>Postponement of a rate increase.</td>
<td>To assist customers in a time of hardship.</td>
</tr>
<tr>
<td>PSC-26-20-00006-EP</td>
<td>exempt</td>
<td>Emergency financial relief.</td>
<td>To protect the health, safety and general welfare of low-income customers during the summer months.</td>
</tr>
<tr>
<td>PSC-26-20-00009-P</td>
<td>exempt</td>
<td>Escrow account modification and one-time surcharge.</td>
<td>To determine whether the Company’s proposed changes to its Escrow Account and a one time surcharge is in the public interest.</td>
</tr>
<tr>
<td>PSC-26-20-00010-P</td>
<td>exempt</td>
<td>Waiver of certain Commission requirements related to the distribution of telephone directories.</td>
<td>The waiver should be considered because directory publishing is temporarily not feasible due to the COVID-19 pandemic.</td>
</tr>
<tr>
<td>PSC-26-20-00011-P</td>
<td>exempt</td>
<td>NYSERDA and Staff whitepaper regarding a clean energy regulatory structure.</td>
<td>To develop a renewable energy program to meet Climate Leadership and Community Protection Act goals.</td>
</tr>
<tr>
<td>Agency I.D. No.</td>
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</tr>
<tr>
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<td>------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>DOS-26-20-00008-P</td>
<td>07/01/21</td>
<td>Creation of a cease and desist zone within Kings County</td>
<td>To adopt a cease and desist zone for a designated area within Kings County</td>
</tr>
<tr>
<td>SUN-53-19-00002-P</td>
<td>12/30/20</td>
<td>Proposed amendments to the traffic and parking regulations at State University of New York College at Old Westbury</td>
<td>Amend existing regulations to update traffic and parking regulations</td>
</tr>
<tr>
<td>SUN-53-19-00005-P</td>
<td>12/30/20</td>
<td>Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville</td>
<td>Amend existing regulations to update traffic and parking regulations</td>
</tr>
<tr>
<td>SUN-14-20-00001-P</td>
<td>04/08/21</td>
<td>Proposed amendments to the traffic and parking regulations at State University of New York System Administration.</td>
<td>Amend existing regulations to update traffic and parking regulations.</td>
</tr>
<tr>
<td>SIR-20-20-00003-EP</td>
<td>05/20/21</td>
<td>The conduct and safety of the public in the use of terminals, stations and trains operated by Staten Island Rapid Transit Auth</td>
<td>To safeguard the public health and safety by amending rules concerning appropriate and safe use of terminals and stations.</td>
</tr>
<tr>
<td>TAF-02-20-00001-EP</td>
<td>01/14/21</td>
<td>Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures</td>
<td>To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts</td>
</tr>
<tr>
<td>TAF-21-20-00004-P</td>
<td>exempt</td>
<td>Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.</td>
<td>To set the sales tax component and the composite rate per gallon for the period July 1, 2020 through September 30, 2020.</td>
</tr>
<tr>
<td>TDA-16-20-00012-P</td>
<td>04/22/21</td>
<td>New York State Combined Application Project (NYSCAP)</td>
<td>To implement the NYSCAP, a new combined application project for recipients of Supplemental Security Income benefits, who have been designated as Live-Alone by the Social Security Administration and the State-funded SSI State Supplement Program</td>
</tr>
<tr>
<td>TDA-26-20-00007-P</td>
<td>07/01/21</td>
<td>Supplemental Security Income (SSI) Additional State Payments</td>
<td>To clarify who participates, the intended uses for benefits, that benefits won’t be issued once a death is verified, time frames to report and circumstances when underpayment/retroactive benefits will issue, and NYS operates SSP under State rules</td>
</tr>
<tr>
<td>THR-01-20-00003-P</td>
<td>01/07/21</td>
<td>Toll rate adjustments on the New York State Thruway system.</td>
<td>To provide for toll rate adjustments necessary to support the Authority’s financial obligations.</td>
</tr>
</tbody>
</table>
### TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

<table>
<thead>
<tr>
<th>Agency I.D. No.</th>
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<th>Subject Matter</th>
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</tr>
</thead>
<tbody>
<tr>
<td>TBA-26-20-00001-P</td>
<td>. . . . . . . . . . . . exempt</td>
<td>A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA</td>
<td>To provide for the implementation of split tolling at TBTA's Verrazzano-Narrows Bridge as required by federal law</td>
</tr>
</tbody>
</table>

### WORKERS' COMPENSATION BOARD

<table>
<thead>
<tr>
<th>Agency I.D. No.</th>
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</thead>
<tbody>
<tr>
<td>WCB-37-19-00002-P</td>
<td>09/10/20</td>
<td>Applications for Reopenings</td>
<td>Clarify the process for reopening a case that has been previously closed</td>
</tr>
<tr>
<td>WCB-23-20-00001-P</td>
<td>06/10/21</td>
<td>Submission of medical bills and reports</td>
<td>To allow the single mailing address and format prescribed by the chair for submission of bills and medical reports</td>
</tr>
<tr>
<td>WCB-23-20-00002-P</td>
<td>06/10/21</td>
<td>Medical Treatment Guidelines</td>
<td>Repeal carpal tunnel syndrome MTG and replace with hand, wrist, and forearm, and add asthma</td>
</tr>
<tr>
<td>WCB-23-20-00004-P</td>
<td>06/10/21</td>
<td>EDI system updates</td>
<td>To require carriers to report certain credits taken for payments to claimants; biannual reports; EDI 3.1 updates</td>
</tr>
</tbody>
</table>
ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

PROVIDE
NATURAL GAS STANDBY GENERATOR
Joint Forces Headquarters
Latham, Albany County

Sealed bids for Project No. 46066-E, comprising a contract for Electrical Work, Provide Natural Gas Standby Generator, Joint Forces Headquarters, 330 Old Niskayuna Road, Latham (Albany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 15, 2020, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of $58,500 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between $1,000,000 and $2,000,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller (“Restricted Period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a).

Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html

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

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

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

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be within 358 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

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

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

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

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.
For additional information on this project, please use the link below and then click on the project number: https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp

By John D. Lewyckyj, Deputy Director
OGS - Design & Construction Group
MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE

Department of Civil Service

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

Please take notice that the regular monthly meeting of the State Civil Service Commission for July 2020 will be conducted on July 15 and July 16 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at https://www.cs.ny.gov/commission/.

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

PUBLIC NOTICE

Rockland County Solid Waste Management Authority
d/b/a Rockland Green

Issuance of Draft RFP

For Design-Build of a Dual Stream Recyclables Processing System

at the Materials Recovery Facility in Hillburn, NY

Pursuant to Section 120-w of the New York State General Municipal Law, the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”), hereby provides notice that it has drafted a Draft Request for Proposals for Design-Build of a Dual Stream Recyclables Processing System at the Materials Recovery Facility in Hillburn, NY.

A copy of the Draft Request for Proposals has been filed with the Confidential Secretary of Rockland Green and may be viewed online at: rocklandgreen.com or obtained from the offices of Rockland Green between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, except holidays, on or after July 1, 2020.

Comments on the Draft Request for Proposals will be accepted by email by July 30, 2020. Comments may be submitted to dloius@rocklandgreen.com. Rockland Green until August 30, 2020. Comments may be submitted by email to dloius@rocklandgreen.com or by mail to Dee Louis, Engineer I, Rockland County Solid Waste Management Authority d/b/a Rockland Green, 172 Main Street, Nanuet, NY 10954.

PUBLIC NOTICE

Department of State

F-2020-0136

Date of Issuance – July 1, 2020

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

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant’s consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0136 the applicant, Nathan Hunter, is proposing to install a 4-tier Limestone rip rap retaining wall backfilled with gabion limestone, which will be covered with fabric and topped with topsoil, along the west edge of the property. This project is located at 6524 Montonna Shores Road W, Town of Lyme, Jefferson County, Lake Ontario.

The applicant’s consistency certification and supporting information are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0136.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or July 31, 2020.

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

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

PUBLIC NOTICE

Department of State

F-2020-0279

Date of Issuance – July 1, 2020

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

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program. The ap-
The applicant’s consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0279, the BASF Corp proposes the Hudson River Wetland Enhancement Project located at 36 Riverside Avenue, City of Rensselaer, along the Hudson River. The stated purpose of the project is to improve overall habitat conditions, provide greater connectivity between riverine and terrestrial habitats, and contribute to the habitat requirements of the northern map turtle (Graptemys geographica). The applicant proposes creating 0.17 acres of fringe intertidal wetland and an additional area of riparian habitat enhancement along the Hudson River. The wetland would be created landward of an existing bulkhead by excavating approximately 260 cubic yards (CY) of material within a 4,950-SF area below the existing mean high water (MHW) line. The bulkhead would remain in-tact. The applicant proposes installing eight (8) timber turtle basking platforms measuring 14’ (L) x 6’ (W) x 1.5’ (H) that would be installed parallel to shore along the waterward length of the bulkhead. The platforms would be secured by up to 15, 12-inch diameter timber piles waterward of the existing bulkhead, which total approximately 18 CY of fill below MHW.

The applicant’s consistency certification and supporting information are available for review at: https://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0279_Application.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or July 31, 2020.

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

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

PUBLIC NOTICE
Department of State
F-2020-0307
Date of Issuance – July 1, 2020

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

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2020-0414, NYS OPHPHP proposes to stabilize the nearly vertical and undercut banks within the docking and tent camping area of Canoe Point State Park and protect banks from high-water conditions, causing erosion from the shore of the St. Lawrence River. The proposed project will grade approximately 265 linear feet of bank to create 2.5:1 slope, and the installation of approximately 265 linear feet of heavy stone fill, of which 120 cy is below Ordinary High Water Mark (OHWM) of the St. Lawrence River, Town of Clayton, Jefferson County.

The applicant’s consistency certification and supporting information are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0414-consistencycert-PN.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, July 16, 2020.

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

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

PUBLIC NOTICE
Department of State
F-2020-0435
Date of Issuance – July 1, 2020

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

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program.

In F-2020-0435, Shinnecock Bay Significant Coastal and Fish Wildlife Habitat: https://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or July 31, 2020.

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

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.
catwalk. Proposed 4’ x 72.2’ catwalk to a gangway 3’ x 3’ with thru flow decking to a 6’ x 20’ seasonal timber float. Also proposed is the replacement of the existing bulkhead. The project is located on Temple Road, East Setauket, NY 11733 on Port Jefferson Harbor.

The applicant’s consistency certification and supporting information are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0435Nelin.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or July 31, 2020.

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

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

PUBLIC NOTICE
Department of State
Uniform Code Variance/Appeal Petitions

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

2020-0225 Matter of Nassau Expeditors Inc., Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning safety requirements, including the ceiling height and the height under a girder/soffit. Involved is an existing one family dwelling located at 117 Roosevelt Court, Carle Place, Town of North Hempstead, NY 11030, County of Nassau, State of New York.

2020-0254 Matter of Gregory Ralph, Architect, Gregory Ralph, 1924 Route 22, E. Bound Brook, NJ 08805, for a variance concerning safety requirements, including to allow a single unisex toilet room in lieu of the required two (2), one (1) for each sex. Involved is a B occupancy (business) alteration located at 260 Pond Path, Setauket, Town of Brookhaven, NY 11720 County of Suffolk, State of New York.

2020-0265 Matter of DGR Expediting Inc., Dorothy G. Rose-Graham, 25 Yaphank Avenue, Brookhaven, NY 11719, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is a one-family dwelling located at 231 Durkee Lane, Patchogue, Town of Brookhaven, NY 11772 County of Suffolk, State of New York.

2020-0266 Matter of H&M Secure Future, LLC, Hany Mostafa, 26 Glen Road, Westbury, NY 11590, for a variance concerning safety requirements, including to allow a single unisex toilet room in lieu of
Executive Order No. 168.37: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that Incorporate the MTA Region in the State of New York.

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

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

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

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

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby extend the state disaster emergency declared pursuant to Executive Order No. 168 and extend all of the terms, conditions, and directives of Executive Order No. 168 and the terms, conditions, and directives for any extensions of the same for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 168 until July 3, 2020; provided that the temporary suspension of any laws, rules, regulations or guidelines pursuant to this and any future extensions of Executive Order 168 shall apply to the extent that the Chairman of the MTA, or his designee, which shall only include the MTA’s President or Managing Director, determines it necessary for the purposes of awarding any contracts, leases, licenses, permits or any other written agreement that may be entered into to mitigate such disaster emergency.

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

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


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

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

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, hereby issue the following directives for the period from the date of this Executive Order through June 27, 2020:

• Business operators and building owners, and those authorized on their behalf shall have the discretion to ensure compliance with the directive in Executive Order 202.17 (requiring any individual over age two, and able to medically tolerate a face-covering, be required to cover their nose and mouth with a mask or cloth face-covering when in a public place), including the discretion to deny admittance to individuals who fail to comply with the directive in Executive Order 202.17 or to require or compel their removal if they fail to adhere to such directive, and such owner or operator shall not be subject to a claim of violation of the covenant of quiet enjoyment, or frustration of purpose, solely due to their enforcement of such directive. Nothing in this directive shall prohibit or limit the right of State and local enforcement authorities from imposing fines or other penalties for any violation of the directive in Executive Order 202.17. This directive shall be applied in a manner consistent with the American with Disabilities Act or any provision of either New York State or New York City Human Rights Law, or any other provision of law.

• Executive Order 202.31, which extended the provisions of Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13, 202.14, 202.28 which each closed or otherwise restricted public or private businesses or places of public accommodation, and Executive Order 202.32 as modified by Executive Order 202.33 which required postponement, cancellation, or restriction on size of all non-essential gatherings of more than ten individuals, and which together constitute New York On PAUSE, is hereby continued until and unless later amended or extended by a future Executive Order, provided, however:
  o As soon as a region meets the prescribed public health and safety metrics, as determined by the Department of Health, they will be eligible for Phase One reopening.
  o Businesses or entities open pursuant to Department of Health guidance must be operated subject to the guidance promulgated by the Department of Health.
  o As of May 28, 2020 the regions meeting the prescribed public...
Executive Orders

NYS Register/July 1, 2020


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

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

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify, for the period from the date of this Executive Order through June 28, 2020:

• Executive Order 202.34, which extended the provisions of Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13, 202.14, 202.28, and 202.31 which each closed or otherwise restricted public or private businesses or places of public accommodation, and Executive Order 202.32 as modified by Executive Order 202.33 which required postponement, cancellation, or restriction on size of all non-essential gatherings of more than ten individuals, and which together constitute New York On PAUSE, is hereby continued until and unless later amended or extended by a future Executive Order, provided, however:
  o That effective at 1:00 p.m. on May 29, 2020 that the reductions and restrictions on the in-person workforce at non-essential businesses or other entities shall no longer apply to Phase Two industries:
    ▪ Professional Services, Administrative Support, Information Technology,
    ▪ Real estate services, Building and Property Management, Leasing, Rental, and Sales Services,
    ▪ Retail In-store Shopping, Rental, Repair, and Cleaning,
    ▪ Barbershops and Hair Salon (limited services), and
    ▪ Motor Vehicle Leasing, Rental, and Sales.
  o Businesses or entities in industries open in Phase Two must be operated subject to the guidance promulgated by the Department of Health.
  o As of May 29, 2020 the regions meeting the prescribed public health and safety metrics required for Phase One reopening are: Finger Lakes, Central New York, Mohawk Valley, Southern Tier, North Country, Western New York, Capital Region, Mid-Hudson, and Long Island. Such regions include the counties of Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates, Cayuga, Cortland, Madison, Onondaga, Oswego, Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie, Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga, Tompkins, Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence, Allegany, Cattaraugus, Chautauqua, Erie, Niagara, Albany, Columbia, Greene, Saratoga, Schenectady, Rensselaer, Warren, Washington, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester, Nassau, and Suffolk. Any additional regions which meet the criteria after such date will be deemed to be incorporated into this Executive Order without further revision and will be permitted to re-open Phase One industries, subject to the same terms and conditions.

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

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


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

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

NOW, THEREFORE, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law to extend during a State disaster emergency the period for paying property taxes without interest or penalties upon request of the chief executive officer of an affected county, city, town, village or school district, I do hereby extend by twenty-one days the period for paying, without interest or penalty, property taxes that are due in the following localities that have requested such an extension: Village of Angola, Erie County; Village of Babyon, Suffolk County; Village of Bellport, Suffolk County; Village of Brockport, Monroe County; Village of Brookville, Nassau County; Village of Buchanan, Westchester County; Village of Clayton, Jefferson County; Village of Depew, Erie County; Village of East Hills, Nassau County; Village of Endicott, Broome County; Village of Farmingdale, Nassau County; Village of Fayetteville, Onondaga County; Village of Greenport, Suffolk County; Village of Groton, Tompkins County; Village of Hempstead, Nassau County; Village of Homer, Cortland County; Village of Hudson Falls, Washington County; Village of Island Park, Nassau County; Village of Kensington, Nassau County; Village of Laurel Hollow, Nassau County; Village of Monroe, Orange County; Village of Munsey Park, Nassau County; Village of Nyack, Rockland County; Village of Ocean Beach, Suffolk County; Village of Otisville, Orange County; Village of Patchogue, Suffolk County; City of Peekskill, Westchester County; Village of Red Hook, Dutchess County; Village of Rhinebeck, Dutchess County; City of Saratoga Springs, Saratoga County; Village of Scarsdale, Westchester County; Village of South Floral Park, Nassau County; Village of Stamford, Delaware County; Village of Stewart Manor, Nassau County; Village of Sylvan Beach, Oneida County; Village of Watkins Glen, Schuyler County; Village of Wellsville, Allegany County; and

IN ADDITION, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law, I do hereby retroactively extend by twenty-one days the period for paying, without interest or penalty, the property taxes that were due by April 1, 2020, in the Village of Thomaston, Nassau County.

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

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

BY THE GOVERNOR
/s/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor
Section 6530 of the Education Law, or any section of the Public Health Law, to the extent necessary to allow a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test.

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

- The directive contained in Executive Order 202.7, as extended, requiring all barbershops, hair salons, tattoo or piercing parlors and related personal care services to be closed to members of the public is hereby modified to allow for the opening of barbershops and hair salons, only to the extent and in regions consistent with Department of Health guidance promulgated for Phase Two industries reopening.

- The directive contained in Executive Order 202.32 allowing any licensee or franchisee of a racetrack to operate such racetrack is hereby modified and extended until July 2, 2020, to allow any operator of an auto racetrack to operate beginning June 3, 2020, pursuant to Department of Health guidance for such operation, and provided such auto racetrack allows only essential personnel or participants to be on site, and does not permit any visitor or spectator into the facility or on premise.

- Executive Order 202.35, which amended prior Executive Orders with respect to New York on Pause, is hereby modified as follows:
  - Any region that meets the prescribed public health and safety metrics as determined by the Department of Health for Phase One reopening may allow outdoor, low-risk recreational activities and businesses providing such activities, as determined by Empire State Development Corporation, to be permitted to operate, in accordance with Department of Health guidance.

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

BY THE GOVERNOR

/s/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor
The following Appendix was filed with a Notice of Proposed Rule Making pertaining to a proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by the Triborough Bridge and Tunnel Authority.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY CROSSING CHARGES

<table>
<thead>
<tr>
<th>A. E-ZPass Charges For E-ZPass New York Customer Service Center Customers</th>
<th>ROBERT F. KENNEDY, BRONX-WHITESTONE, AND THROGS NECK BRIDGES AND QUEENS MIDTOWN AND HUGH L CAREY TUNNELS</th>
<th>MARINE PARKWAY-GIL HODGES MEMORIAL AND CROSS BAY VETERANS MEMORIAL BRIDGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>VERRAZANO-NARROWS BRIDGE</td>
<td>HENRY HUDSON BRIDGE</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>Crossing Charges</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Two-axle vehicles, including: passenger vehicles, station wagons, self-propelled mobile homes, ambulances, hearses, vehicles with seating capacity of not more than 15 adult persons (including the driver) and trucks with maximum gross weight (MGW) of 17,000 lbs. and under</td>
<td>$6.12</td>
</tr>
<tr>
<td>Registered Staten Island Residents using an eligible vehicle taking 3 or more trips per month</td>
<td>$3.44</td>
</tr>
<tr>
<td>Registered Staten Island Residents using an eligible vehicle taking less than 3 trips per month</td>
<td>$3.63</td>
</tr>
<tr>
<td>Registered Staten Island Residents using an eligible vehicle with three or more occupants (HOV)</td>
<td>$1.70</td>
</tr>
<tr>
<td>Registered Rockaway Residents using an eligible vehicle</td>
<td></td>
</tr>
<tr>
<td>Each additional axle costs</td>
<td>$4.00</td>
</tr>
<tr>
<td>2 All vehicles with MGW greater than 7,000 lbs. and buses (other than franchise buses using E-ZPass and motor homes)</td>
<td></td>
</tr>
<tr>
<td>Two-axle vehicles</td>
<td>$11.06</td>
</tr>
<tr>
<td>Three-axle vehicles</td>
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<td>Four-axle vehicles</td>
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<td>Five-axle vehicles</td>
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<tr>
<td>Six-axle vehicles</td>
<td>$35.23</td>
</tr>
<tr>
<td>Seven-axle vehicles</td>
<td>$42.26</td>
</tr>
<tr>
<td>Each additional axle</td>
<td>$7.06</td>
</tr>
<tr>
<td>3 Two-axle franchise buses</td>
<td>$4.43</td>
</tr>
<tr>
<td>4 Three-axle franchise buses</td>
<td>$5.26</td>
</tr>
<tr>
<td>5 Motorcycles</td>
<td>$2.66</td>
</tr>
<tr>
<td>Each additional axle</td>
<td>$1.59</td>
</tr>
</tbody>
</table>

See Footnotes on next page
The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the crossing charge for any such vehicle of unusual or unconventional design, weight or construction.

Bicycles are not permitted over Bronx-Whitestone, Throgs Neck, and Verrazzano-Narrows Bridges, or through the tunnels. Such vehicles may cross the Robert F. Kennedy, Henry Hudson, Marine Parkway-Gil Hodges Memorial and Cross Bay Veterans Memorial Bridges without payment of crossing charge, but must be walked across the pedestrian paths of such bridges.

Only vehicles authorized to use parkways are authorized to use the Henry Hudson Bridge. An unauthorized vehicle using the Henry Hudson Bridge must pay the Marine Parkway-Gil Hodges Memorial Bridge rate.

E-ZPass crossing charges apply to New York E-ZPass Customer Service Center customers only and are available subject to terms, conditions and agreements established by the Authority.

There are no residential restrictions with regard to enrollment as a TBTA Customer in the New York Customer Service Center.
B. For Fare Media Other Than E-ZPass Charges for E-ZPass New York Customer Service Center Customers

CLASSIFICATION

1 Two-axle vehicles, including: passenger vehicles, station wagons, self-propelled mobile homes, ambulances, hearses, vehicles with seating capacity of not more than 15 adult persons (including the driver) and trucks with maximum gross weight (MGW) of 7,000 lbs. and under

The following discounted charges are available for eligible class 1 vehicles:

- Charge per crossing for E-Tokens
- Charge per crossing for E-Tokens for registered Staten Island Residents using an eligible vehicle
- Charge per crossing for E-Tokens for registered Rockaway Peninsula/Broad Channel Residents using an eligible vehicle
- Each additional axle costs

<table>
<thead>
<tr>
<th>BRIDGE/BRIDGES</th>
<th>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY CROSSING CHARGES</th>
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See Footnotes on next page
The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the crossing charge for any such vehicle of unusual or unconventional design, weight or construction.

Bicycles are not permitted over Bronx-Whitestone, Throgs Neck, and Verrazzano-Narrows Bridges, or through the tunnels. Such vehicles may cross the Robert F. Kennedy, Henry Hudson, Marine Parkway-Gil Hodges Memorial and Cross Bay Veterans Memorial Bridges without payment of crossing charge, but must be walked across the pedestrian paths of such bridges.

Only vehicles authorized to use parkways are authorized to use the Henry Hudson Bridge. An unauthorized vehicle using the Henry Hudson Bridge must pay the Marine Parkway-Gil Hodges Memorial Bridge rate.