
NEW YORK STATE
REGISTER

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on August 5, 2012
- the 45-day period expires on July 21, 2012
- the 30-day period expires on July 6, 2012

**ANDREW M. CUOMO
GOVERNOR**

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NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

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

To be considered, comments must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60-day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

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

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

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

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

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

Rule Making Activities

Education Department

- 1 / Charter School Public Hearings (EP)
- 3 / Dignity for All Students Act (L. 2010, Ch. 482) (EP)
- 6 / Policy and Guidelines Prohibiting Discrimination and Harassment of Students (ERP)

Financial Services, Department of

- 8 / Limitation of New Enrollment to the Healthy NY High Deductible Plan Pursuant to Section 4326(g) of the Insurance Law (P)

Parks, Recreation and Historic Preservation, Office of

- 9 / Conditions for a Proposed High Wire Walk Event at Niagara Falls State Park (A)

Public Service Commission

- 10 / Central Hudson Gas and Electric Corporation Energy Efficiency Program (W)
- 10 / Major Electric Rate Filing (A)
- 10 / Authorizing the Transfer Certain Equipment to GenOn Bowline LLC on a Permanent Basis (A)
- 10 / Petition of 8 East 102nd Street LLC to Submeter Electricity at 4 East 102 Street, New York, New York (A)
- 10 / Demolition and Remediation Plan for the Former Russell Generating Station (A)
- 11 / Issue Long-Term Debt, Common Stock and Stock Acquisition (A)
- 11 / Amendments to PSC No. 4—Electricity, Eff. 6/1/12 to Establish Net Metering Provisions for Solar/Wind Generation (A)
- 11 / Amendments to P.S.C. No. 214 — Electricity, Effective May 21, 2012, to Make Modifications to Existing Rules (A)
- 11 / Amendments to PSC No. 7 — Electricity, Eff. 6/1/12 to Establish Net Metering Provision for Solar/Wind Generation (A)
- 12 / Amendments to PSC No. 12—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 12 / Amendments to PSC No. 3—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 12 / Amendments to PSC No. 15—Electricity and No. 12—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 12 / Amendments to PSC No. 10—Electricity and No. 9—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 13 / Amendments to PSC No. 1—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 13 / Amendments to PSC No. 8—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 13 / Amendments to PSC No. 2 and 3—Electricity, and No. 4—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 13 / Amendments to PSC No. 119, 120 and 121—Electricity; No. 87, 88 and 90—Gas Effective 6/1/12 for Excelsior Jobs Program (A)
- 14 / Amendments to PSC No. 220—Electric and PSC No. 219—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 14 / Amendments to PSC No. 19—Electricity, and No. 16—Gas, Effective 6/1/12, to Effectuate the Excelsior Jobs Program (A)
- 14 / Request for Waiver of 16 NYCRR 602.10(b) Requiring Distribution of Telephone Residential White

Page Directories (A)

- 14 / Request to Expend the Balance of Its Deferred Intrastate Rural Telephone Bank Monies (A)
- 15 / Authorizing the Petition to Lease a Portion of Office Space at 18 Link Drive, Binghamton, New York (A)
- 15 / Program Modifications for the Multifamily Energy Efficiency Program (P)
- 15 / EEPS Multifamily Programs Administered by Consolidated Edison Company of New York, Inc. (P)
- 16 / Proposed Merger of Aqua New York, Inc., Its Subsidiaries and Long Island Water Corporation (P)
- 16 / Approval of a Financing Upon a Transfer to Alliance of Upstream Ownership Interests in a Generation Facility (P)
- 16 / Petition for the Submetering of Electricity (P)
- 16 / Over Earnings Sharing Between Rate Payers and Shareholders (P)
- 17 / Program Modifications for the Multifamily Energy Efficiency Program (P)

Racing and Wagering Board

- 17 / Maximum Fines for Violations in Thoroughbred, Harness and Quarterhorse Racing (P)

Workers' Compensation Board

- 18 / Filing Written Reports of Independent Medical Examinations (IMEs) (E)

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- 59 / Workers' Compensation Board

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- 61 / Public Notice
- 62 / Sale of Forest Products