
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 November 23, 2014
- the 45-day period expires on November 8, 2014
- the 30-day period expires on October 24, 2014

**ANDREW M. CUOMO
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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; (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

Agriculture and Markets, Department of

- 1 / Incorporate by Reference in 1 NYCRR of the 2014 Edition of National Institute of Standards and Technology (“NIST”) Handbook 133 (A)
- 1 / Incorporation by Reference in 1 NYCRR of the 2014 Edition of National Institute of Standards and Technology (NIST) Handbook 44 (A)
- 1 / Provision by Municipalities of Certain Weights and Measures Devices to Municipal Directors of Weights and Measures (P)

Environmental Conservation, Department of

- 2 / Sanitary Condition of Shellfish Lands (A)
- 2 / Parts 227-3, 237, and 238 Are Cap-and-Trade Programs that Help Reduce NO and SO Emissions from Major Stationary Sources (A)

Gaming Commission, New York State

- 4 / Implementation of Rules Pertaining to Sanctions for the Unlawful Acceptance of Public Assistance Benefits at Certain Facilities (A)

Health, Department of

- 4 / Personal Care Services Program (PCSP) and Consumer Directed Personal Assistance Program (CDPAP) (E)

Mental Health, Office of

- 8 / Telepsychiatry Services in OMH-Licensed Clinics (P)

Motor Vehicles, Department of

- 9 / Colored Lights on Fire Vehicles, Ambulances, Emergency Ambulance Service Vehicles and County Emergency Medical Service Vehicles (A)

People with Developmental Disabilities, Office for

- 10 / Pathway to Employment Fee Adjustment (A)
- 10 / Amendments to Rate Setting for Non-State Providers: IRA/CR Residential Habilitation and Day Habilitation (A)
- 10 / Amendments to Rate Setting for Non-State Providers: Rates for ICF/DD Services (A)
- 10 / Supervised IRA/CR Residential Habilitation Unit of Service (A)

Public Service Commission

- 11 / Allowing Pheasant Hill to Increase Its Annual Revenues by \$18,948 or 56.67% in PSC 1—Water (A)
- 11 / Allowing West Valley to Increase Its Annual Revenues by \$14,088 or 20.2% in PSC 3—Water (A)
- 11 / Allowing Wellsville to Increase Its Annual Revenues by \$135,979 or 4.7% in PSC 1 — Electricity (A)
- 11 / Allowing O&R’s Filing to Become Effective with Modifications (A)
- 12 / Adopting the Terms of a Joint Proposal between National Grid USA and Staff (A)
- 12 / Allowing Central Hudson’s Filing to Become Effective (A)
- 12 / Granting a Waiver of 16 NYCRR 503.4, to Allow NYAW to Place an Additional Well in Service in its Sea Cliff Service District (A)
- 13 / Approving an Emergency Rule As a Permanent Rule a Water Supply Agreement between NYAW

and Glenwood (A)

- 13 / Whether to Approve, Reject or Modify, in Whole or in Part a Time-Sensitive Rate Pilot Program (P)
- 13 / Study and Petition of Con Edison Regarding Use, Accounting and Ratemaking Treatment for 11-23 and 2-28 Hudson Ave., Brooklyn (P)
- 13 / Action on the Report and Petition of Con Edison Regarding the Storm Hardening and Resiliency Collaborative, Phase 2 (P)
- 14 / Demand Response Program (P)
- 14 / Whether to Expand Con Edison's Low Income Program to Include Medicaid Recipients (P)
- 15 / Study and Petition of Con Edison Regarding Use, Accounting and Ratemaking Treatment for 11-23 and 2-28 Hudson Ave., Brooklyn (P)
- 15 / Action on the Report and Petition of Con Edison Regarding the Storm Hardening and Resiliency Collaborative, Phase 2 (P)
- 15 / Inter-Carrier Telephone Service Quality Standard and Metrics and Administrative Changes (P)
- 16 / Waiver of Extension of Mains Regulation and Tariff Terms and Financing of Long-Term Debt (P)
- 16 / Action on the Report and Petition of Con Edison Regarding the Storm Hardening and Resiliency Collaborative, Phase 2 (P)
- 17 / Communication Devices for Daily Meter Reading for Gas Balancing Services (P)
- 17 / Calculation of the Gas Supply Charge (P)
- 17 / Acquisition of Common Stock of a New York Electric Corporation (P)
- 18 / Communication Devices for Daily Meter Reading for Gas Balancing Services (P)
- 18 / Service Classification (SC) No. 8— Gas Transportation Service with Standby Sales Service (P)
- 18 / New Electric Utility Demand Response Tariffs May Be Adopted (P)
- 19 / Whether to Approve, Modify or Reject in Whole or in Part an Increase in Annual Revenues of Approximately \$18,356 or 17.8% (P)
- 19 / Various Tariff Revisions to the Rates, Charges, Rules and Regulations (P)
- 19 / Service Lines, Leakage Surveys, Testing Requirements, MAOP, Odorization, 16 NYCRR 255.3(a)(29), 255.723, 255.507, 255.619, 255.625 (P)

Temporary and Disability Assistance, Office of

- 22 / Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) (EP)
- 24 / State Supplement Program (SSP) (A)

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