

# GUIDANCE DOCUMENTS

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Not less than once each year, every agency shall submit to the Secretary of State for publication in the *State Register* a list of all Guidance Documents on which the agency currently relies [SAPA, section 202-e(1)]. However, an agency may be exempted from compliance with the requirements of SAPA section 202-e(1) if the agency has published on its website the full text of all Guidance Documents on which it currently relies [SAPA, section 202-e(2)].

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## Public Service Commission

The Public Service Commission currently relies on the following Guidance Documents:

Documents noted as available on web can be accessed at [www.dps.state.ny.us](http://www.dps.state.ny.us).

1. Case 26162—In the Matter of Purchased Gas Adjustments and Electric and Steam Fuel Adjustments, Statement of Commission Policy Regarding Purchased Gas or Fuel Adjustment Clauses in Utility Company Tariffs under Regulations by U.S. Cost of Living Counsel, issued November 22, 1971. (Vol I)

2. Case 27052—Statement of Policy on Advertising and Promotional Practices of Public Utilities, issued June 21, 1972 and February 25, 1977. (on Web)

3. Cases 8579, 9187, 9218, 9221—Statement of Policy on Rate Treatment of Investment Tax Credits and Tax Benefits of Asset Depreciation Range System, issued September 26, 1972. (Vol I)

4. Statement of Commission Policy Regarding Changes in Utility Rates During Effectiveness of Executive Order No. 11723, issued June 19, 1973. (Vol III)

5. Case 26851—Statement of Commission Policy on Rate and Accounting Treatment of the Principal Provisions of the Tax Reduction Act of 1975 Affecting Public Utilities, issued June 16, 1975. (Vol I)

6. Case 26901—Statement of Commission Policy Concerning Flat Versus Declining Block Rates for Electric Service, issued September 25, 1975. (Vol I)

7. Case 26926—Statement of Policy Concerning Intrastate Transportation of Natural Gas for Industrial Purposes, October 28, 1975. (Vol I)

8. Case 26821—Statement of Policy on Test Periods in Major Rate Proceedings, issued November 23, 1977. (on Web)

9. Case 27435—Statement of Policy on Rates for Water Service, issued September 21, 1978. (Vol I)

10. Case 21656—Statement of Policy on Filing of Direct Cases by Utilities in Support of Proposed Major Rate Increases, adopted May 9, 1979. (Vol I)

11. Case 27513—Generic Proceeding Concerning the Impact of the Reduced Corporate Income Tax Rate on the Deferred Tax Account, Statement of Policy, issued December 28, 1979. (Vol II)

12. Case 27635—Telephone Subscriber Loop Transmission Guidelines, issued April, 1980.

13. Case 27605—The Role of Herbicides in Managing Vegetation on Electric Transmissions Right-of-Way, Statement of Policy, issued April 18, 1980. (on Web)

14. Case 28784 - Accounting and Rate Treatment for Land Acquired in Anticipation of Construction—Order Concerning Revision of Policy, August 1, 1980. (Vol II)

15. Case 28081—Proceeding on Motion of the Commission as to the Proposed Accounting and Ratemaking Procedures to Implement Requirements of the Economic Recovery Tax Act of 1981 as They Affect Public Utilities, Statement of Policy on Accounting and Ratemaking Procedures to Implement Requirements of the Economic Recovery Tax Act of 1981, issued January 13, 1982. (Vol II)

16. Case 29292—Gas Alternative Systems, Inc.—Pet. for a Commission Order Directing Niagara Mohawk Power Corporation to Enter into a Long-term Contract for the Purchase of Energy Generated from a Co-Generation Facility to be Built by Gas Alternative Systems, Inc., Policy Statement on Back-up Oil by Co-Generation Facilities, May 29, 1987. (Vol II)

17. Case 29465—Proceeding on Motion of the Commission as to the Proposed Accounting and Ratemaking Procedures to Implement Requirements of the Tax Reform Act of 1986 as They Affect Public Utilities, Statement of Policy on Accounting and Ratemaking Procedures to Implement Requirements of the Tax Reform Act of 1986, issued July 7, 1987. (Vol II)

18. Case 88-M-123—Statement of Policy Endorsing Model Utility Senior Program, issued June 1, 1988. (Vol II)

19. Case 89-G-078—In the Matter of the Formulation of a Policy Regarding the Rate Treatment Afforded to Expansion of Gas Service into New Franchise Areas, Statement of Policy Regarding Rate Treatment to be Afforded to the Expansion of Gas Service into New Franchise Areas, issued December 11, 1989. (on Web)

20. Case 89-M-054—Policy on Patents and Patent Proceeds Resulting from Utility Research and Development, Statement of Policy Regarding Patents and Patent Proceeds, issued May 23, 1990. (on Web)

21. Cases 26529 and 26559—Proceeding on Motion of the Commission as to Regulations Regarding Electric and Magnetic Field Standards for Transmission Lines, Statement of Interim Policy in Magnetic Field of Major Electric Transmission Facilities, issued September 11, 1990. (on Web)

22. Case 90-G-0379—Proceeding on Motion of the Commission to Investigate the Impact of Bypass by Gas Cogeneration Projects, Statement of Policy Regarding Bypass of Local Distribution Companies by Large Volume Users, issued March 6, 1991 and Clarification of Statement of Policy Regarding Bypass of Local Distribution Companies by Large Volume Users, issued August 12, 1991. (on Web)

23. Case 90-M-0255 & Case 92-M-0138—Proceeding on Motion of the Commission Concerning its Procedures for Settlement and Stipulation Agreements, filed in C 11175, Opinion, Order and Resolution Adopting Settlement Procedures and Guidelines, issued March 24, 1992.

24. Case 91-M-0890—In the Matter of the Development of a Statement of Policy Concerning the Accounting and Ratemaking Treatment for Pensions and Postretirement Benefits Other than Pensions, Statement of Policy and Order Concerning the Accounting and Ratemaking Treatment for Pensions and Postretirement Benefits Other Than Pensions, issued September 7, 1993 and Order Clarifying Prior Policy Statement and Order, Instituting a Proceeding, and Soliciting Comments, issued February 2, 2005 (Cases 04-M-1693 and 91-M-0890).

25. Case 93-W-0962—Proceeding on Motion of the Commission to Establish a Policy to Provide Incentives for the Acquisition and Merger of Small Water Utilities, Statement of Policy on Acquisition Incentive Mechanisms for Small Water Companies, issued August 8, 1994. (Vol III)

26. Case 93-G-0932—Proceeding on Motion of the Commission to Address Issues Associated with the Restructuring of the Emerging Competitive Natural Gas Market, Opinion and Order Establishing Regulatory Policies and Guidelines for Natural Gas Distributors, (Op. No. 94-26) issued December 20, 1994 (see #37 below).

27. Case 94-E-0952—In the Matter of Competitive Opportunities Regarding Electric Service, Opinion and Order Regarding Proposed Principles to Guide the Transition to Competition, (Op. No. 94-27), issued December 22, 1994. (on Web)

28. Case 94-E-0952—In the Matter of Competitive Opportunities Regarding Electric Service, Opinion and Order Adopting Principles to Guide the Transition to Competition, (Op. No. 95-7), issued June 7, 1995. (on Web)

29. Case 94-E-0952, et al.—In the Matter of Competitive Opportunities Regarding Electric Service, Opinion and Order Regarding Competitive Opportunities for Electric Service, (Op. No. 96-12) issued May 20, 1996 (see #32 below). (on Web)

30. Case 94-C-0095, et al.—Proceeding on Motion of the Commission to Examine Issues Related to the Continuing Provision of Universal Service and to Develop a Regulatory Framework for the Transition to Competition in the Local Exchange Market, Notice of Procedures for Implementing Sections 251 and 252 of the Telecommunications Act of 1996, issued June 14, 1996. (on Web)

31. Case 96-C-0647—Proceeding on Motion of the Commission to Monitor the Development of Competition—Order Adopting Telecommunications Competition Monitoring Report, issued May 20, 1997 and Order Adopting Modified Telecommunications Competition Monitoring Report, issued February 18, 2000. (on Web)

32. Case 94-E-0952, et al.—In the Matter of Competitive Opportunities Regarding Electric Service, Statement of Regulatory Policies Regarding Operating Agreements, issued March 10, 1998. (on Web)

33. Case 97-C-0139—Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies, Order Approving Interim Guidelines for Carrier-to-Carrier Performance Standards for Telephone Companies, issued March 16, 1998 (see #39 below). (on Web)

34. Case 96-E-0891—New York State Electric & Gas Corporation, Appendix A—"Market Power Guidelines" dealing with horizontal market power, attached to the Commission's Order Authorizing Process for Auctioning of Generation Plant, issued April 24, 1998. (on Web)

35. Case 97-G-0600—In the Matter of the Commission's Request for Gas Distribution Companies to Reduce Gas Cost Volatility and Provide for Alternate Gas Purchasing Mechanisms, Statement of Policy Regarding Gas Purchasing Practices, issued April 28, 1998. (on Web)

36. Cases 94-E-0098—Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Niagara Mohawk Power Corporation for Electric Service, (lead case) Cases 96-E-0900, 94-E-0099, 96-E-0891, 96-E-0897, 96-E-0909, 96-E-0898, Statement of Policy Regarding Vertical Market Power, issued July 17, 1998. (on Web)

37. Case 93-G-0932—Proceeding on Motion of the Commission to Address Issues Associated with the Restructuring of the Emerging Competitive Natural Gas Market and Case 97-G-1380—In The Matter of Issues Associated with the Future of the Natural Gas Industry and the Role of Local Gas Distribution Companies, Policy Statement Concerning the Future of the Natural Gas Industry in New York State and Order Terminating Capacity Assignment, issued November 3, 1998 and Order Clarifying Gas Policy Statement, issued April 1, 1999. (on Web)

38. Case 98-G-0122—Proceeding on Motion of the Commission to Review the Bypass Policy Relating to the Pricing of Gas Transportation for Electric Generation, Untitled Order, Pricing of Gas Transportation for Electric Generation, issued March 17, 1999. (on Web)

39. Case 97-C-0139—Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies, Order Establishing Permanent Rule and Attaching Appendix to Intercarrier Service Quality Guidelines —Open Issues and Proposed Resolutions, issued June 30, 1999 (see #43 below). (on Web)

40. Case 98-M-1210—In the Matter of the New York City Watershed Memorandum of Agreement and Watershed Regulations, Statement of Policy and Resolution Regarding the New York City Watershed Regulations, issued August 31, 1998. (on Web)

41. Case 99-C-1529—Expedited Dispute Resolution Process, Notice to All Parties Regarding Expedited Dispute Resolution, issued November 18, 1999 and Letter dated October 9, 2002 from Secretary Deixler. (on Web)

42. Case 98-C-0689—Proceeding on Motion of the Commission Pursuant to §97(2) of the PSL, to Institute an Omnibus Proceeding to Investigate the Efficiency of Usage of Telephone Numbering Resources and to Evaluate the Options for Making Additional Central Office Codes and/or Area Codes Available in Areas of NYS When and Where Needed, Order Instituting Statewide Number Pooling and Number Assignment and Reclamation Procedures, issued March 17, 2000, December 13, 2000, and May 20, 2002). (on Web)

43. Case 97-C-0139—Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies, Notice of Issuance of Uniform Measurement Guidelines, issued October 6, 2000. (on Web)

44. 00-C-2051—Proceeding to Investigate Methods to Improve and Maintain High Quality Special Services Performance by Verizon New York Inc. and 92-C-0665—Proceeding on Motion of the Commission to Investigate Performance-Based Incentive Regulatory Plans for New York Telephone Company, Opinion and Order Adopting Special Services Guidelines (Op. No. 01-1), issued June 15, 2001; Order Denying Petitions for Rehearing and Clarifying Applicability of Special Services Guidelines, issued December 20, 2001. (on Web)

45. Case 00-C-0188—Proceeding on Motion of the Commission to Examine the Migration of Customers Between Local Carriers, Order Adopting Phase II Guidelines, issued June 14, 2002 and Order Adopting Revised Mass Migration Guidelines, issued January 2, 2003. (on Web)

46. NPA Code Relief Planning & Notification Guidelines issued October 3, 2003.

47. Location Routing Number (LRN Assignment Practices, issued January 23, 2004.

48. Case 00-M-0504—Proceeding on Motion of the Commission Regarding Provider of Last Resort Responsibilities, the Role of

Utilities in Competitive Energy Markets and Fostering Development of Retail Competitive Opportunities, Statement of Policy on Further Steps Toward Competition in Retail Energy Markets and Statement of Policy on Unbundling and Order Directing Tariff Filings, issued August 25, 2004. (on Web)

49. Case 03-E-0188—Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard, Order Regarding Retail Renewable Portfolio Standard, issued September 24, 2004. (on Web)

50. Case 97-C-0139—Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies, Order Establishing Modifications to the Inter-Carrier Service Quality Guidelines for Hot Cut Measurements and Standards, issued December 16, 2004. (on Web)

51. Thousands-Block Number (NXX-X) Pooling Administration Guidelines, issued January 21, 2005.

52. Central Office Code (NXX) Assignment Guidelines, issued February 4, 2005.

53. Case 00-M-0504—Proceeding on Motion of the Commission Regarding Provider of Last Resort Responsibilities, the Role of Utilities in Competitive Energy Markets and Fostering Development of Retail Competitive Opportunities—Unbundling Track, Statement of Policy on Rate Design Issues, issued February 14, 2005. (on Web)

54. Case 03-E-1761—Proceeding on Motion of the Commission to Reexamine Policies and Tariffs for Flexible Rate Contract Service to Economic Development Customers, Order Approving Guidelines for Flexible Rate Service Contracts, issued April 14, 2005. (on Web)

55. Case 06-M-0043 - Examine Issues Related to the Deployment of Broadband Over Power Line Technologies, Statement of Policy on Deployment of Broadband Over Powerline Technologies, issued October 18, 2006. (on Web)

MISCELLANEOUS

Dispute Resolution at the Department of Public Service (on Web)  
 NOI Handbook: Procedures for Filing a Notice of Intention (NOI) for the Certification of Gas Transmission Facilities, August 1, 1995.

Environmental Management and Construction Standards and Practices for Underground Transmission and Distribution Facilities in New York State, February 18, 2003.

The Certification Review Process for Major Electric and Fuel Gas Transmission Facilities, November 12, 2003. (on Web)

Guide to Certification Review Process for Major Electric Generating Facilities, February 11, 2002. (on Web)

Migration Dispute Resolution Request Form. (on Web)

ACCOUNTING—TECHNICAL RELEASES

- TR-1 Extraordinary Large Expense items (E,G,S,T,W) 1/30/72
- TR-2 Proper AFUDC Rate (E,G,S,T,W) 6/30/72
- TR-3 Information required for filing petition requesting approval of a lease as a financing instrument (E,G,S,T,W) 6/30/72
- TR-4 Rate at which to capitalize AFUDC and addendum (E,G,S,T,W) 10/24/72
- TR-5 Impact on Financial Reporting of FAC (E) 1/14/74
- TR-6 Proper account to include expenditures made in contemplation of construction of Electric Plant under Article VIII (E) 12/11/74
- TR-7 Computing AFUDC on past AFUDC (E,G,S,T,W) 1/28/75
- TR-8 Accounting required to implement GAC surcharge or refund (G) 5/28/75
- TR-10 Accounting Treatment of revenue stabilization clause (G) 11/25/76
- TR-16 Accounting for R&D expenses. Amounts allowed in rates and related deferral of difference (E) 2/8/80

CABLE

Issues in Cable Franchising, The Franchising Renewal Process. (on Web)

Issues in Cable Franchising, The Franchise Fee. (on Web)

Issues in Cable Franchising, Elements of a Renewal Franchise Document. (on Web)

Issues in Cable Franchising, Franchising Competing Providers.

Issues in Cable Franchising, Filing for a Certificate of Confirmation. (on Web)

Preparing for Renewal, Strategies for Renewal of a Franchise.

Cable Television and Consumer Issues, Guide for Municipal Officials.

CONSUMER SERVICES

QRS Guide for Service Providers: A Service Providers Guide to Handling Customer Difficulties Reported to the NYS Department of Public Service, June 2004.

Customer Service Response Index: Measuring CSRI, June 2004.

Complaint Handling Process. (on Web)

TELECOMMUNICATIONS

Certificate of Public Convenience and Necessity, Applying for. (on Web)

*Regulated parties and members of the public may inspect and obtain copies of any such documents by contacting:* Elaine Lynch, Public Service Commission, Three Empire State Plaza, Albany, NY 12223-1350, (518) 474-2500, e-mail: elaine\_lynch@dps.state.ny.us

