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# NEW YORK STATE **REGISTER**

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**INSIDE THIS ISSUE:**

- Probation State Aid Block Grant Funding
- Registration and Financial Responsibility Requirements for Mortgage Loan Servicers
- Filing Written Reports of Independent Medical Examinations (IMEs)

**Guidance Documents**

**Notice of Availability of State and Federal Funds**

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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 February 5, 2012
- the 45-day period expires on January 21, 2012
- the 30-day period expires on January 6, 2012

**ANDREW M. CUOMO  
GOVERNOR**

**CESAR A. PERALES  
SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

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## 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.state.ny.us](http://www.dos.state.ny.us)) 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 60day 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

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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](http://www.dos.state.ny.us))

**Rule Making Activities****Audit and Control, Department of**

- 1 / Notice of expiration

**Civil Service, Department of**

- 1 / Jurisdictional Classification (A)

**Criminal Justice Services, Division of**

- 2 / Probation State Aid Block Grant Funding (E)
- 5 / Probation Management (A)

**Education Department**

- 6 / Waiver of Corporate Professional Practice Restrictions for Certain Mental Health Professions (A)

**Financial Services, Department of**

- 6 / License, Financial Responsibility, Education and Test Requirements for Mortgage Loan Originators (E)
- 9 / Registration and Financial Responsibility Requirements for Mortgage Loan Servicers (E)

**Health, Department of**

- 13 / Chemical Analyses of Blood, Urine, Breath or Saliva for Alcoholic Content (A)
- 13 / NYS Newborn Screening Panel (A)
- 13 / Amendment to Limitations of Operating Certificates (P)

**Power Authority of the State of New York**

- 14 / Rates for Sale of Power and Energy (A)

**Public Service Commission**

- 15 / Resolving the Disposition of Tax Refunds and Credits Obtained by the Company for the Period of 1996-2010 (A)
- 15 / Institute Proper Billing Practices and to Refund, with Interest, Sales Taxes Recovered During 2005 Through 2007 (A)
- 16 / Amendments to PSC 1—Water, for an Increase in Annual Revenues of \$29,670 or 351%, to Become Effective 12/1/11 (A)
- 16 / Complaint Concerning the Rates of Aqua New York, Inc. for its Dykeer Water System (A)
- 16 / Capital Expenditure Commitments (A)
- 16 / Revising Service Classification No. 14-RA—Standby Service, with Modifications (A)
- 17 / To Allow the Mercury Instruments IP Cellular Modem to be Used as a Gas Meter Transmitting Device for Use in NYS (A)
- 17 / Natural Gas Vehicles and Distributed Generation Pilot Programs (A)
- 17 / Elimination of the Requirement to Conduct a Refrigerator Measurement and Verification Study (A)
- 17 / Amendments to PSC No. 1 — Electricity, Eff. 12/1/11 to Increase Annual Electric Revenues of \$300,000 or 10.9% (A)
- 18 / Amendments to PSC No. 15—Electricity, Effective 12/1/11 to Modify the Energy Cost Adjustment Mechanism (A)
- 18 / Denying the Petitions for Rehearing and/or Clarification of the Commission's 6/17/11 Electric Rate Order (A)
- 18 / Adopt in Part and Deny in Part the Petition for Rehearing and Authorize Incremental Storm Expenses

(A)

19 / Amendments to PSC No. 1—Gas, Effective December 1, 2011 (A)

19 / Lightened Ratemaking Regulation as a Competitive Provider of Gas Transportation (A)

19 / Gas Tariff Amendments in Compliance with the Commission's Order of June 20, 2011 (A)

20 / Net Energy Metering for Farm Waste Electric Generating Systems and NYS Standardized Interconnection Requirements (A)

21 / Approval of a Financing (A)

22 / Whether a Proposed Agreement for the Provision of Water Service by Saratoga Water Services, Inc. is in the Public Interest (P)

22 / Approval of a Contract for the Sale of Capacity and Energy from NYSEG to Nucor (P)

22 / Water Rates and Charges (P)

#### **Racing and Wagering Board**

23 / Electronic Application Procedure to Open an Advanced Deposit Wagering Account (E)

#### **State, Department of**

24 / Use of Variable Refrigerant Flow (VRF) Air Conditioning Systems (P)

#### **Workers' Compensation Board**

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

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