

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 14-M-0101 - Proceeding on Motion of the Commission in  
Regard to Reforming the Energy Vision.

NOTICE CONCERNING PETITION FOR REHEARING

(Issued April 10, 2015)

On March 30, 2015, Alliance for a Green Economy, Binghamton Regional Sustainability Coalition, The Center for Social Inclusion, Citizens' Environmental Coalition, Citizens for Local Power, and People United for Sustainable Housing (PUSH) Buffalo jointly filed a Petition for Rehearing and/or Clarification (Petition) of the February 26, 2015 Order Adopting Regulatory Policy Framework and Implementation Plan in this proceeding. The Petition will be treated as a timely petition for rehearing, filed within the 30 day period prescribed in Public Service Law §22 and 16 NYCRR §3.7(a).

The statute of limitations controlling the time to seek review by filing an Article 78 proceeding should ordinarily be tolled by a timely petition for rehearing. CPLR §7801(1). The four-month period in which to seek review under CPLR §217 would not therefore commence until issuance of a Commission decision on rehearing.

In order to grant the Petition in whole or in part, by altering a "rule" for purposes of the State Administrative Procedure Act (SAPA), the Commission must comply with SAPA notice requirements. A Notice of Proposed Rulemaking will be filed with the Department of State with respect to the Petition. Comments pursuant to SAPA will be due by June 15, 2015. Upon conducting its rehearing evaluation, the Commission may reaffirm its initial decision or adhere to it with additional rationale, modify the decision, reverse the decision, or take such other or further action as it deems necessary.

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Please take Notice that, pursuant to 16 NYCRR §3.3(a)(1), the time to respond to the Petition is hereby extended to June 15, 2015.

(SIGNED)

KATHLEEN H. BURGESS  
Secretary