

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 01-M-1806 - In the Matter of the Review of Existing
Commission Rules and Regulations Pursuant to the
State Administrative Procedure Act, Section 207.

NOTICE OF PROPOSED CONTINUATION OF RULES

(Issued January 7, 2026)

Pursuant to Section 207 of the State Administrative Procedure Act, **NOTICE** is hereby given regarding the Rules Review appended hereto. The rules were adopted in 2001, 2006, 2011, and 2021 and are proposed to be continued without change. There were no rules adopted in 2016 that are subject to review. The rules include: 16 NYCRR Parts 10 and 255, revising pipeline safety regulations; 16 NYCRR Chapters I, II, III, IV, V, VI, VII, and VIII, establishing electronic filing and service as the preferred method; 16 NYCRR Subpart 85-2 and Parts 86 and 88, amendments to the siting process for electric transmission lines in a National Interest Electric Transmission Corridor; 16 NYCRR Part 93, allowing energy services companies or competitive meter service providers to request meter approval without utility sponsorship; 16 NYCRR Part 753; adopting enforcement procedures for violations of Part 753.

Comments on the Rule Review are requested by **March 9, 2026**, and may be filed by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files"), entering "01-M-1806" in the "Search by Case Number" field, and then clicking on the "Post Comments" box located at the top of the page. Those unable to file comments electronically may mail their comments to the Hon. Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York, 12223-1350; however, electronic filing of

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comments is strongly encouraged. All comments submitted to the Secretary will be posted on the Department of Public Service's website.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

Rule Review

PUBLIC SERVICE COMMISSION

Pursuant to §207 of the State Administrative Procedure Act: Review of Existing Rules, notice is hereby provided that the Public Service Commission proposes to continue the following rules adopted in 2001, 2006, 2011, and 2021 without modification. There were no rules adopted in 2016 that are subject to review.

1. 16 NYCRR Parts 10 and 255 (Case No. 20-G-0560).
 - a. Description of the rules: These 2021 amendments to Parts 10 and 255 provided updates to referenced materials in Part 10 and made changes to Part 255 related to pipeline safety; specifically, amendments were made to Sections 255.3, 255.9, 255.150, 255.230, 255.465(a), 255.483(d), 255.517(a), 255.604(a), 255.615(c), 255.616(j), 255.616(k), 255.619, 255.743, 255.801(c), 255.809(b), 255.817(c), 255.909(b), 255.917(a), 255.917(e), 255.921, 255.933(a), 255.935(b), 255.935(d), 255.937(c), 255.939, and 255.91(c); Section 255.67 was relocated to 255.69; Sections 255.4 and 255.949 were repealed; and Sections 255.5(g), 255.18, 255.67, 255.127, 255.205, 255.227(c), 255.285(f), 255.493, 255.506, 255.607, 255.619(e), 255.619(f), 255.624, 255.632, 255.705(c), 255.710, 255.712, 255.750, 255.921(i), and 255.937(d) were added.
 - b. Statutory authority: PSL §66.
 - c. No hearings or public meetings are scheduled.
 - d. The rules are in effect and will continue.
 - e. Need for and legal basis of the rules: These 2021 amendments align the Commission's regulations with federal regulations from the Pipeline and Hazardous Materials Safety Administration (PHMSA) and are necessary for the Commission to maintain its certification as a state pipeline safety program administrator.
2. 16 NYCRR Chapters I, II, III, IV, V, VI, VII, and VIII (Case No. 09-M-0544).
 - a. Description of the rules: These 2011 amendments adopted changes to Chapter I, Subchapters A, C, and G; Chapter II, Subchapters A and G; Chapter III,

Subchapters A and G; Chapter IV, Subchapters C and G; Chapter V, Subchapters A and F; Chapter VI, Subchapters A, E, and F; Chapter VII, Subchapters C and D; and Chapter VIII, Subchapter B to establish electronic filing and service as the preferred method but allow paper filing in specific instances.

- b. Statutory authority: Public Service Law §§4(1), 5(2), 7(1), 16(1), and 20(1).
 - c. No hearings or public meetings are scheduled.
 - d. The rules are in effect and will continue.
 - e. Need for and legal basis of the rules: These 2011 amendments improve Department efficiency in the receipt, processing, and issuance of documents while reducing reliance on paper.
3. 16 NYCRR Subpart 85-2 and Parts 86 and 88 (Case No. 06-M-1019).
- a. Description of rules: These 2006 amendments added a new §85-2.9 to specify the information that must be contained in an application for an electric transmission line in a National Interest Electric Transmission Corridor (NIETC) in order for that application to be considered "filed." In addition, this section streamlined the review process by identifying those application requirements specific to portions of transmission lines that are proposed to be installed overhead, underground or underwater, thus avoiding the need to process a significant number of waiver requests. The amendments also clarified applicants' obligations regarding substantive local legal provisions and transmission system studies.
 - b. Statutory authority: PSL §§4(1), 20(1), and 122 (1)(f).
 - c. No hearings or public meetings are scheduled.
 - d. The rules are in effect and will continue.
 - e. Need for and legal basis of rules: The rules address the impacts of electricity transmission limitations in New York State by speeding up the application process for NIETC projects. They precisely specify the information required on an application to install an electric transmission line, thus enabling the Public Service Commission to act on the proposed project within a year. The end result of quick approval of energy transmission projects is enhancement

of transmission capacity, which furthers reliability and national security interests.

4. 16 NYCRR Part 93 (Case No. 99-E-1691).
 - a. Description of rules: The 2001 amendments to Part 93 allow energy services companies or competitive meter service providers subject to Commission consumer services protection and oversight to request meter approval without utility sponsorship.
 - b. Statutory authority: Public Service Law §67(4).
 - c. No hearings or public meetings are scheduled.
 - d. The rules are in effect and will continue.
 - e. Need for and legal basis for the rules: The 2001 amendments to Part 93 open metering services to competition and expand customer choice. Only meters approved by the Commission and in conformance with the American National Standard Code for Electric Metering (ANSI C12) can be used for customer billing and the regulations require notification to the Commission of any modifications to previously approved meters.
5. 16 NYCRR Part 753 (Case No. 99-M-1624).
 - a. Description of rules: The 2001 amendments to 16 NYCRR Part 753 adopted Subpart 6, which includes enforcement procedures for violations of Part 753, which concerns the protection of underground utility infrastructure.
 - b. Statutory Authority: Public Service Law §119-b and General Business Law Article 36.
 - c. No hearings or public meetings are scheduled.
 - d. The rules are in effect and will continue.
 - e. Need and legal basis for the rules: The 2001 amendments to Part 753 set forth the process the Commission follows to address violations of Part 753 and should continue without modification.