



CASE 24-M-0433 - In the Matter of the Rules and Regulations for the Environmental Review, Permitting, and Siting in this State of Major Renewable Energy Facilities and Major Electric Transmission Facilities Under the Renewable Action Through Project Interconnection and Deployment Act.

NOTICE OF REVISED RULEMAKING AND PUBLIC COMMENT PERIOD, AND
ACCEPTANCE OF FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

(Issued October 22, 2025)

New York State recently enacted the Renewable Action Through Project Interconnection and Deployment (RAPID) Act, which consolidates the environmental review, permitting, and siting of major renewable energy facilities and major electric transmission facilities under the purview of the Office of Renewable Energy Siting and Electric Transmission (Office or ORES). Among other things, the RAPID Act authorizes ORES, in consultation with the Department of Public Service (Department or DPS) and subject to approval by the Public Service Commission (Commission), to promulgate rules and regulations to implement the new siting permit program for major electric transmission facilities established by the RAPID Act.

Pursuant to the provisions of article 2 of the State Administrative Procedure Act (SAPA) and Public Service Law §§ 3-c, 138, 139, and 145, ORES issued a proposed rule and draft generic environmental impact statement (DGEIS) on December 18, 2024 to repeal the current 16 NYCRR Part 1100 (Office of Renewable Energy Siting and Electric Transmission), and replace

it with a new Part 1100 (General Procedures), Part 1101 (Major Renewable Energy Facility Siting), and Part 1102 (Major Electric Transmission Facility Siting). The purpose of the rulemaking is to establish procedural rules and uniform standards and conditions for the siting, design, construction, and operation of major renewable energy generation (MRE) and major electric transmission (MET) facilities.

Notice of Revised Rulemaking: Pursuant to SAPA §§ 202(4-a) and 202-a(6), ORES is issuing a revised rulemaking due to the over 2,000 public comments received on the proposed rule and the DGEIS resulting in substantial revisions to the regulations as originally proposed in several key areas. Key areas addressed in the revised rulemaking include: revised pre-application procedures; revised alternative route scoping for MET facilities; revised procedures for upgrades and new work for MET facilities located substantially within existing electric transmission rights-of-way; replacement of "environmental justice" with "disadvantaged communities" in compliance with the Climate Leadership and Community Protection Act (CLCPA); and revisions to noise standards for both MRE and MET facilities.

Copies of the express terms of the revised rulemaking are available from the Office of Renewable Energy Siting and Electric Transmission, W.A. Harriman Campus, Building 9, 4th Floor, 1220 Washington Avenue, Albany, New York 12226. Electronic copies of the express terms are available online at the Department of Public Service webpage by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files") and entering "24-M-0433" in the "Search by Case Number" field.

Written Public Comments: Written comments are sought on the revised rulemaking. Comments should be submitted by **December 8, 2025**, and should refer to Case 24-M-0433.

Persons filing written comments are strongly encouraged to post their comments on the Department's Document and Matter Management (DMM) system. To post a comment, go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter "24-M-0433" in the "Search by Case Number" field, and click on "Post Comments" in the upper right-hand corner of the screen.

Persons unable to post comments electronically may mail their comments to the Office of Renewable Energy Siting and Electric Transmission, Empire State Plaza, P-1 South, J Dock, Albany, NY 12242, and reference Case 24-M-0433. All comments must be postmarked no later than December 8, 2025. Comments mailed to the Office will be posted on the Department's DMM and will be included in the official record of the matter.

Notice of Acceptance of Final Generic Environmental Impact

Statement: DPS, by and through ORES, as lead agency, has completed and accepted a final GEIS (FGEIS) in connection with the proposed rulemaking. The FGEIS was prepared pursuant to the State Environmental Quality Review Act (Environmental Conservation Law article 8 [SEQRA]) and its implementing regulations at 6 NYCRR part 617. The FGEIS was prepared to analyze potential environmental impacts associated with the new siting permit program for major electric transmission facilities established by the RAPID Act.

Copies of the FGEIS are available from the Office of Renewable Energy Siting and Electric Transmission, W.A. Harriman Campus, Building 9, 4th Floor, 1220 Washington Avenue, Albany,

New York 12226. An electronic copy of the FGEIS is available online at the Department's webpage by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files") and entering "24-M-0433" in the "Search by Case Number" field.

(SIGNED)

ZERYAI HAGOS
Executive Director
Office of Renewable Energy Siting
and Electric Transmission
New York State Department of
Public Service