

**CHAPTER I: Rules of Procedure**  
**Subchapter A: General**

**Part 1 - Definitions and Applicability**

**§ 1.1 Statutory terms**

Unless the context otherwise requires, terms used in this [t]Title that are defined in the Public Service Law have the meanings there given.

**§ 1.2 Other terms**

Unless the context otherwise requires, the following terms have the meanings specified:

(a) agency: any department, board, bureau, commission, division, office, council, committee, public benefit corporation, public authority, or other governmental entity of the State of New York.

(b) Chairman: the Chairman of the Public Service Commission.

(c) General Counsel: the [General] Counsel to the Public Service Commission.

(d) party: any person or agency named or admitted to participate in a proceeding or properly seeking and entitled as of right to be so admitted.

(e) active party: a party included on a list of active parties prepared by a presiding officer pursuant to [Section]§ 4.3(b) of this [t]Title.

(f) presiding officer: the Commissioner, or the Administrative Law Judge or other officer or employee of the Commission so authorized by the Chairman or by the Chairman's designee, presiding over a proceeding or conducting an investigation or hearing.

(g) Secretary: the Secretary to the Commission.

(h) trial staff: staff of the Department of Public Service designated to participate as a party in a particular proceeding.

An individual need not appear as a witness to be considered part of trial staff.

(i) overnight delivery service: any delivery service which regularly accepts items for overnight delivery to any address in the State.

(j) web posting: publication of a document on the World Wide Web at an address that is known and accessible to all parties entitled to be provided with a copy of the document, in a format that allows the document to be downloaded, searched, saved and printed.

(k) electronic signature: an electronic sound, symbol, or process, incorporated within, attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the document.

(l) electronic filing: delivery of a document to the Secretary by e-mail or such other electronic means as may be authorized by the Secretary.

(m) electronic service: delivery by e-mail, or such other electronic means as may be authorized by the Secretary, of:

(1) a notice of web posting providing a web address linking directly to the document being served; or

(2) the document itself in a format that permits it to be searched, saved and printed by the recipient.

(n) in writing, written: denotes a tangible or electronic record of a communication or representation, including handwriting, typewriting, printing, photocopying, photography, audio or video recording and email; a "signed" writing includes a writing containing an electronic signature.

### **§ 1.3 Applicability**

[(a)] The provisions of this subchapter shall not apply to complaints and other matters arising under Subchapter B of this Chapter, except insofar as any such matter becomes the subject of a formal proceeding instituted by the Commission following a party's appeal from the decision of an informal hearing officer.

[(b) In the event of conflict between the provisions of this subchapter and any more specific provisions of this title, the more specific provisions shall prevail.]