

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DRM 11-023

RULEMAKING

N.H. Code Admin. Rules Puc 201.05, Waiver of Rules

ORDER OF NOTICE

On July 28, 2011, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N.H. Code Admin. Rules, Puc 201.05, Waiver of Rules. The amendment clarifies that the Commission may seek waivers of Commission rules on its own motion.

A rulemaking notice form (Notice), as required by RSA 541-A:6, was filed with the Office of Legislative Services on August 15, 2011. The Notice sets forth a date for a public hearing to be held at the Commission and a deadline for the submission of written comments. That notice is appended hereto.

A copy of the Rulemaking Notice will be sent to all regulated utilities and to those parties previously requesting notice of rulemakings. Pursuant to RSA 541-A:6, III, notice will also be provided by public notice advertisement in a publication of daily statewide circulation.

The initial proposal may be viewed on the Commission website, <http://www.puc.nh.gov/Regulatory/Docketbk/2011/11-023.html>, or copies may be obtained from the Commission as set forth in the Notice.

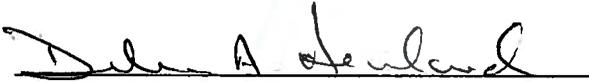
Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to RSA 541-A:11, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire, on September

20, 2011 at 10:00 a.m., and that the deadline for submission of materials in writing or via e-mail shall be October 3, 2011, as set forth in the Notice; and it is

FURTHER ORDERED, that pursuant to RSA 541-A:6, III, the Commission shall undertake a public notice advertisement by publishing a copy of this Order together with the Notice no later than September 1, 2011, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before September 26, 2011.

By order of the Public Utilities Commission of New Hampshire this twenty-sixth day of August, 2011.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Notice Number 2011-114

Rule Number Puc 201.05

<p>1. Agency Name & Address:</p> <p>Public Utilities Commission 21 S. Fruit Street, Suite 10 Concord, New Hampshire 03301</p>	<p>2. RSA Authority: <u>RSA 365:8, XII</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: Puc 200 Rules of Practice and Procedure, Puc 201.05, Waiver of Rules

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

Puc 201.05 sets forth certain standards of conduct and related procedures governing the waiver of rules before the NH PUC (amendment clarifying that the Commission may seek waivers on its own motion).

6. (b) Brief description of the groups affected:

The rule affects regulated utilities and their affiliates operating in New Hampshire that make filings with the NH PUC.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule(s)	State Statute (RSA)
Puc 201.05	RSA 365:8, XII

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Alexander Speidel**
 Address: **New Hampshire Public Utilities Commission**
21 South Fruit Street Suite 10
Concord NH 03301

Title: **Staff Attorney**
 Phone #: **603-271-2431**
 Fax#: **603-271-3878**
 E-mail: **alexander.speidel@puc.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

NN 2011-114 Continued

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: October 3, 2011

 Fax E-mail Other format (specify):

9. Public hearing scheduled for: September 20, 2011

Date and Time: September 20, 2011 at 10:00 a.m.

Place: 21 South Fruit Street, Suite 10, Hearing Room A, Concord, NH

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 11:113, dated August 5, 2011

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: The proposed rules do not modify an existing program or responsibility, and do not assign any responsibility to any political subdivision and therefore is not proposed in violation of Part I, Article 28-a.