

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

DRM 12-189

RULEMAKING

N.H. Code Admin. Rules CHAPTER Puc 200, Rules of Practice and Procedure

ORDER OF NOTICE

On July 11, 2012, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N.H. Code Admin. Rules Chapter Puc 200, Rules of Practice and Procedure. The Commission proposes to readopt certain specific provisions without amendment, as presented in the Commission's initial proposal. Puc 202.01 (f)-(m) provide guidance for persons and entities seeking certain Commission determinations. Part Puc 204 sets forth certain standards of conduct and related procedures governing the proceedings before the Commission related to complaints regarding public utilities. Puc 205.06 sets forth certain standards of conduct and related procedures governing the proceedings before the Commission related to explanations of proposed Commission rules. Part Puc 206 sets forth certain standards of conduct and related procedures governing the proceedings before the Commission related to utilities seeking alternative forms of regulation by the Commission. As noted, readoption of these existing rules, without amendment, is being sought as part of this rulemaking.

A rulemaking notice form (Notice), as required by RSA 541-A:6, was filed with the Office of Legislative Services on September 27, 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/2012/12-189.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 November 6, 2012 at 10:00 a.m., and that the deadline for submission of materials in writing or via e-mail shall be November 15, 2012, 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 October 16, 2012, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before November 6, 2012.

By order of the Public Utilities Commission of New Hampshire this eleventh day of October, 2012.



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 2012-136

Rule Number

Puc 202.01 (f)-(m), Puc 204,
Puc 205.06, Puc 206

1. Agency Name & Address:

Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301

2. RSA Authority:

RSA 365:8, XII; 365:8, III

3. Federal Authority:

4. Type of Action:

Adoption

Amendment

Repeal

Readoption

X

Readoption w/amendment

5. Short Title: Puc 200 Rules of Practice and Procedure

6. (a) Summary of what the rule says and of any proposed amendments:

Puc 202.01 (f)-(m) provide guidance for persons and entities seeking certain Commission determinations.

Part Puc 204 sets forth certain standards of conduct and related procedures governing the proceedings before the Commission related to complaints regarding public utilities.

Puc 205.06 sets forth certain standards of conduct and related procedures governing the proceedings before the Commission related to explanations of proposed Commission rules.

Part Puc 206 sets forth certain standards of conduct and related procedures governing the proceedings before the Commission related to utilities seeking alternative forms of regulation by the Commission.

Readoption of these rules, without amendment, is being sought in this rulemaking.

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

The rules affect regulated utilities and their affiliates operating in New Hampshire that make filings with the NH Public Utilities Commission.

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

Provision of the Rule	Specific State Statute the Rule Implements
Puc 202.01 (f)-(m)	RSA 365:8, XII
Puc 204.01 - 204.06	RSA 365:1 - 5
Puc 205.06	RSA 541-A:11, VII
Puc 206.01 - 206.09	RSA 365:8, III; RSA 365:8, XII

NN 2012-136 Continued

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

Name:	Alexander Speidel	Title:	Staff Attorney
Address:	New Hampshire Public Utilities Commission 21 South Fruit Street Suite 10 Concord NH 03301	Phone #:	603-271-6016
		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)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: November 15, 2012

☒ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for: November 6, 2012

Date and Time: November 6, 2012 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 # 12:135, dated September 26, 2012

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.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 12-189-1 Printed: October 12, 2012

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.