

**THE STATE OF NEW HAMPSHIRE**

**PUBLIC UTILITIES COMMISSION**

**DRM 12-298**

**RULEMAKING**

**N. H. Code Admin. Rules PART Puc 1400, Rules for Pipeline Utilities**

**ORDER OF NOTICE**

On December 19, 2012, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Code Admin. Rules PART Puc 1400, Rules for Pipeline Utilities. The Commission's Initial Proposal represents a readoption of the existing Puc 1400 rules with amendments. The proposed revisions to Puc 1400 are intended to clarify existing requirements regarding the circumstances when test results and summaries of records shall be provided to the Commission. Upon approval, the proposed amended rule will replace the current version of Puc 1400.

A rulemaking notice form (Notice), as required by RSA 541-A:6, was filed with the Office of Legislative Services on December 20, 2012, and published on December 27, 2012. The Notice sets forth a date for a public hearing to be held at the Commission on January 22, 2013, at 10:00 a.m. and a deadline for submission of written comments of January 29, 2013. That notice is appended hereto.

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

The readoption with amendment Initial Proposal may be viewed on the Commission website, <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-298.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 541-A:11, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire on January 22, 2013, at 10:00 a.m., and that the deadline for submission of materials in writing or via e-mail shall be January 29, 2013, 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 January 11, 2013, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before January 22, 2013.

By order of the Public Utilities Commission of New Hampshire this eighth day of January, 2013.



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 South Fruit Street, Suite 10, Concord, New Hampshire 03301; 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.

# APPENDIX II-C

## RULEMAKING NOTICE FORM

Notice Number \_\_\_\_\_ Rule Number Puc 1400

<p>1. Agency Name &amp; Address:</p> <p><b>Public Utilities Commission</b>  <b>21 South Fruit Street</b>  <b>Suite 10</b>  <b>Concord, NH 03301</b></p>	<p>2. RSA Authority: <u><b>RSA 365:8, V and XII</b></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><b>X</b></u></p>
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5. Short Title **Puc 1400 – RULES FOR PIPELINE PUBLIC UTILITIES**

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

**Puc 1400 applies to gas pipeline public utilities in the State and governs reporting and applicable forms.**

**The proposed revisions to Puc 1400 are intended to clarify existing requirements regarding the circumstances when tests and any summaries of records shall be provided to the Commission.**

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

**The Puc 1400 rules generally apply to any public utility that owns or operates any gas pipeline, including pumping stations, storage depots and other facilities, for the transportation, distribution or sale of gas, crude petroleum, refined petroleum products, or combinations of petroleum products.**

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) and Federal Statute/Regulation
Puc 1401	RSA 365:8, XII
Puc 1402	RSA 365:8, V and XII; RSA 374:15
Puc 1403.01	RSA 365:8, V and XII; RSA 374:15
Puc 1403.02	RSA 365:8, V and XII; RSA 374:15

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

Name: **Lynn Fabrizio, Esq.**

Title: **Staff Attorney**

Address: **NH Public Utilities Commission  
21 South Fruit Street  
Suite 10  
Concord, NH 03301**

Phone #: **603-271-2431**

Fax#: **603-271-4033**

E-mail: **lynn.fabrizio@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: **January 29, 2013**

☒ Fax

☒ E-mail

☒ Other format (specify): diskette

9. Public hearing scheduled for:

Date and Time: **January 22, 2013 at 10:00 a.m.**

Place: **Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301**

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

FIS # FIS 12:211 dated December 19, 2012

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: **The proposed rules do not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision of the State of New Hampshire. They therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.**

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**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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

Executive.Director@puc.nh.gov	dm2001@heritagepropane.com
al.disilva@amerigas.com	dm2006@heritagepropane.com
amanda.noonan@puc.nh.gov	dm5401@heritagepropane.com
andy.hartford@gorhampt.com	dnolan@borderlinefuels.com
andy.hartford@gorhampt.com	eanderson@ne.rr.com
barry.crawford@amerigas.com	epler@unitil.com
began@haffnersoil.com	frank.smart@deadriver.com
billm@easternman.com	gary.boisvert@deadriver.com
bmoore@eastern.com	gregkrise@ferrellgas.com
boisvertruss@aol.com	hbudd@ostermangas.com
carolyn.stiles@puc.nh.gov	hughesb@amerigas.com
cbission@suburbanpropane.com	jblake@eastern.com
charlied@rymesheating.com	jdillion@eastern.com
christiane.mason@libertyutilities.com	jim.dombrosk@unh.edu
Christina.Martin@oca.nh.gov	jim.martin@deadriver.com
chuckc@rymesheating.com	jk@palmergasco.com
ciulla@unitil.com	john.tolan@irvingoil.com
cmdrummey@spectraenergy.com	joseph.vercellotti@puc.nh.gov
csc1707@suburbanpropane.com	jrose@pgane.org
david.burnell@puc.nh.gov	kbrill@suburbanpropane.com
david.carroll@elpaso.com	ken.mackay@heritagepropane.com
davidellis@pgagnon.com	kim.weiland@deadriver.com
denise.mckeen@puc.nh.gov	ktaylor@whitemountainoil.com
dml209@heritagepropane.com	

Docket #: 12-298-1      Printed: January 08, 2013

**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.

lbenjamin@cfuel.com  
leblanc@unitil.com  
leo.cody@libertyutilities.com  
lhouston@proulxoilandpropane.com  
lrickards@eastern.com  
lynn.fabrizio@puc.nh.gov  
mark.naylor@puc.nh.gov  
mgriffin@suburbanpropane.com  
msaunders@whitemountainoil.com  
mschlosser@eastern.com  
nadeau@unitil.com  
nhgas.stephenrokes@myfairpoint.net  
pat@etsassociates.com  
pscphil@yahoo.com  
randy.knepper@puc.nh.gov  
rick@dfrichard.com  
robert.wyatt@puc.nh.gov  
Rorie.E.P.Hollenberg@oca.nh.gov  
rufusyoungblood@ferrellgas.com  
sarah.knowlton@libertyutilities.com  
sgauthier@avrrdd.org  
smcfarlin@stargaspropane.com  
steve.cummings@deadriver.com  
steve.frink@puc.nh.gov  
steve.machado@amerigas.com  
susan.chamberlin@oca.nh.gov  
tallen@allenmathewsonenergy.com  
timothy.hodge@amerigas.com  
tom.hardison@pmpl.com  
wayne\_oosterman@tranSCANADA.com  
wmurray@ostermangas.com