

STATE OF NEW HAMPSHIRE



OFFICE OF LEGISLATIVE SERVICES

STATE HOUSE
107 NORTH MAIN STREET, ROOM 109
CONCORD, NEW HAMPSHIRE 03301-4951

February 18, 2020

Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

Re: Waiver of 150-day Deadline for Filing Final Proposal 2019-162

Dear Commissioners:

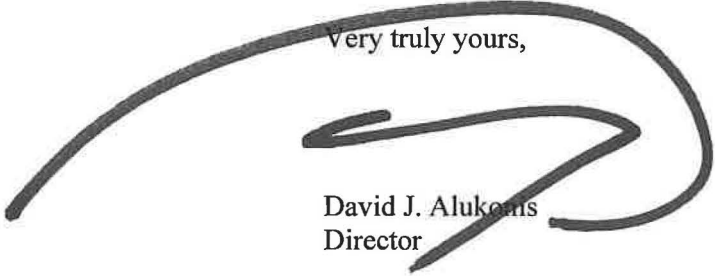
In a letter dated February 14, 2020 to Scott Eaton, Administrative Rules Director of the Office of Legislative Services (OLS), Diane Martin, Chairwoman of the Public Utilities Commission (Commission), requested, on the Commission's behalf, a waiver pursuant to RSA 541-A:40, IV of the 150-day deadline after notice publication for filing Final Proposal 2019-162. This Final Proposal contains a readoption with amendments of Puc 900 on net metering for customer-owned renewable energy generation resources of 1,000 kilowatts or less. Based on the publication of the rulemaking notice on September 26, 2019, the 150-day deadline pursuant to RSA 541-A:12, I and RSA 541-A:16, IV to file this Final Proposal is Monday, February 24, 2020. Chairwoman Martin requests a new deadline of March 24, 2020.

As provided by RSA 541-A:40, IV, as the Director of the Office of Legislative Services I have the authority to waive, for good cause shown, any deadline contained in RSA 541-A after consultation with the Chair and Vice-Chair of the Joint Legislative Committee on Administrative Rules (JLCAR). Chairwoman Martin's letter indicated that the proposal is designed to implement SB 165 from the 2019 legislative session (Chapter 271 of the Laws of 2019), and the complexity of implementation of SB 165 has required numerous stakeholder sessions and a Draft Final Proposal in a second public hearing. The Commission is currently in the process of considering those comments. Absent a waiver, the rulemaking proceeding would terminate after February 24, and the Commission would have to commence a new rulemaking proceeding.

I have consulted with the JLCAR Chair and Vice-Chair. In light of the reasons set forth in Chairwoman Martin's letter of February 14, 2020, I agree that good cause exists for waiving the February 24, 2020 filing deadline and hereby grant the waiver as requested, with a new deadline of March 24, 2020 for the Commission to establish and file the Final Proposal.

If you have any questions in this regard, please contact legal staff in Administrative Rules at 271-3680.

very truly yours,



David J. Alukonis
Director

DJA/SFE

cc: Scott F. Eaton, Administrative Rules Director
David K. Wiesner, Esq., Staff Attorney, Public Utilities Commission