

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
DEPARTMENT OF ENERGY

October 4, 2023 - 10:02 a.m.
21 South Fruit Street
Suite 10
Concord, NH

RE: **DRM 23-082 RULEMAKING:**

New Hampshire Code of Administrative
Rules Puc Chapter 600 Rules for
Water Service.

RUL 2023-003 DEPARTMENT OF ENERGY:

Chapter En 600 Rules for Water
Service.

PRESENT: Eric J. Wind, Esq.
PUC Legal Advisor/Hearings Examiner
(*Presiding as Presiding Officer for PUC*)

Andrew J. Harmon, Esq.
DOE Hearing Examiner/Enforcement Division
(*Presiding as Presiding Officer for DOE*)

Tracey Russo, Clerk

APPEARANCES: (*No appearances taken*)

Court Reporter: Steven E. Patnaude, LCR No. 52

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PUBLIC COMMENTS BY:

Jessica Chiavara	5
Marcia Brown	8

P R O C E E D I N G

PRESIDING OFCR. WIND: Okay. Good morning, everybody. For the record, it is 10:02 a.m., on October 4th. We are in Hearing Room A. We have moved across the hall from Hearing Room B, because the larger hearing room was available. We are here for a public comment hearing on the Public Utilities Commission and the Department of Energy's Chapter 600 rules, which are proposed, at least for the Public Utilities Commission, for readoption. And Attorney Harmon will introduce the DOE's section shortly.

However, these rules sets, when taken together, are not intended to substantively change the existing rules. Rather, they are intended to reflect the division of regulatory responsibilities between the Commission and the Department of Energy following the establishment of the Department July of 2021.

My name is Eric Wind. I'm a Senior Advisor at the Commission. I will serve as Designee for the Chairman of the Commission for this hearing. This hearing occurs in Commission

1 Docket DRM 23-082.

2 Attorney Harmon.

3 PRESIDING OFCR. HARMON: Thank you.

4 Andrew Harmon, Hearing Examiner with the
5 Department of Energy, serving as the Designee of
6 the Commissioner for the Department of Energy.

7 The Department is here to receive
8 comments on the Department's proposed new Energy
9 600 rules, as well as the 700s. And it is
10 correct, our new -- our rules are new. But it is
11 correct that they are not intended to
12 substantively change the existing rules, and
13 instead reflect the division of regulatory
14 responsibilities.

15 Thank you.

16 PRESIDING OFCR. WIND: Okay. Thank
17 you.

18 This joint public comment hearing,
19 we're going to separate these into two separate
20 hearings, 600 and 700. So, my notes are a little
21 inaccurate. So, let's just go ahead and go
22 around the room to take comments. I will go
23 through the list of everyone that has signed up
24 as being interested in speaking or potentially

1 interested in speaking. And we will hear
2 comments on both the PUC and the DOE 600 rules at
3 this time. They don't need to be segregated into
4 specific comments on the PUC versus DOE rules. I
5 think we're more than comfortable hearing
6 comments in total.

7 PRESIDING OFCR. HARMON: Sure.

8 PRESIDING OFCR. WIND: So, let's begin
9 with Attorney Chiavara. Do you have comments on
10 this rule set?

11 MS. CHIAVARA: Sorry. These were the
12 600 rules?

13 PRESIDING OFCR. WIND: Yes.

14 MS. CHIAVARA: PUC -- for the PUC 600
15 rules or DOE 600 rules?

16 PRESIDING OFCR. HARMON: We're doing
17 them together.

18 MS. CHIAVARA: Okay.

19 PRESIDING OFCR. HARMON: So, if you
20 have any comments on either, we're happy to take
21 them now.

22 MS. CHIAVARA: Okay. Great. Thank
23 you.

24 I only had a couple of very minor

1 things. There are some references to "reports",
2 I believe these are in the DOE's rules, referring
3 to the E-5 Accident Report, E-15 Pressure Report,
4 E-16 for complaints, E-17 for hydrants, E-18 for
5 service interruptions, all refer to updated new
6 forms from 2023, one in April and the rest in
7 June, but they link to much older documents. So,
8 the newer forms can't be found. And, so, those
9 links need to be updated.

10 PRESIDING OFCR. HARMON: Okay. And we
11 did have some debate over what would be the best
12 way to do that when we discussed that with OLS,
13 and quite wisely went with what OLS would think
14 would be great.

15 And, so, we needed to reflect that the
16 forms are updated in -- consistent with the way
17 they'll be referenced in these rules. They are
18 not live right now, because we don't want someone
19 using rules that aren't in effect yet.

20 MS. CHIAVARA: Sure.

21 PRESIDING OFCR. HARMON: So, I
22 appreciate that comment. And I can say that we
23 didn't make substantive changes to the forms.
24 So, to the extent anybody would have a follow-up

1 question about whether they would see the forms,
2 in terms of substance, you see them already.

3 MS. CHIAVARA: Okay.

4 PRESIDING OFCR. HARMON: And I hope
5 that helps.

6 MS. CHIAVARA: And we're eager to be
7 sure we're using the right forms.

8 PRESIDING OFCR. HARMON: Sure.

9 MS. CHIAVARA: Then, the one
10 substantive issue I had, it's also relatively
11 minor, the current rules require calibration of
12 meters on a 10-year cycle for the five-eighths
13 inch meters, and every four years for
14 three-quarter and one-inch meters.

15 The new -- there was a desire to have
16 the meter testing requirements parallel with the
17 manufacturer's requirements. And, so, I just
18 wanted to put that forward for consideration as
19 well.

20 Thank you.

21 PRESIDING OFCR. HARMON: I appreciate
22 that. And we did receive a written comment on
23 that. And, so, we will be internally discussing
24 that. I would be deferring, of course, to our

1 technical folks on that, at least initially. But
2 that is something that we've received some
3 information on that ought to help us consider it.

4 MS. CHIAVARA: Great. That's all I
5 have.

6 PRESIDING OFCR. HARMON: Great.

7 PRESIDING OFCR. WIND: Okay. Attorney
8 Brown.

9 MS, BROWN: Good morning. Thank you
10 very much for holding this public comment
11 hearing.

12 The only issue that I also wanted to
13 echo, which I understand that two other
14 companies, including Eversource, or Aquarion, and
15 maybe Lakes Region have expressed, is with
16 respect to Puc 605.04, and the "Test Schedules
17 for Meters", in that that chart out to be
18 modified to reflect the manufacturer's
19 recommendations. And, so, I will put that in
20 writing by the deadline.

21 And I have no other substantive
22 comments on the 600 rules for DOE or PUC. Thank
23 you.

24 PRESIDING OFCR. HARMON: Thank you.

1 PRESIDING OFCR. WIND: And just for
2 clarity, Attorney Brown, that was the DOE's
3 605.04?

4 MS, BROWN: Thank you for picking up on
5 that. I said "Puc", and, in fact, you're
6 deleting it. So, yes. It would pertain to, in
7 addition, to DOE. Thank you for that
8 clarification.

9 PRESIDING OFCR. WIND: Yes. Thank you.
10 All right. Ms. King or Ms. Diggins,
11 would Pennichuck like to comment on the 600 rule
12 set?

13 MS. KING: I have nothing at this time.
14 Oh, sorry.

15 PRESIDING OFCR. WIND: And I'm sorry.
16 Good morning. Welcome. I'm not familiar with
17 either of you. So, welcome. Good morning.

18 MS. KING: Good morning.

19 MS. DIGGINS: Good morning.

20 PRESIDING OFCR. WIND: Mr. Laflamme,
21 you did not sign up to speak. You have no
22 comments as well?

23 MR. LAFLAMME: No comments.

24 PRESIDING OFCR. WIND: Okay. Then, we

1 will close this public comment hearing on the PUC
2 and DOE Chapter 600 rules.

3 ***(Whereupon the joint public comment***
4 ***hearing was adjourned at 10:09 a.m.)***