

Notice Number 2024-110

Rule Number Puc 200

<p>1. Agency Name & Address:</p> <p>Public Utilities Commission 21 South Fruit Street Suite 10 Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 365:8, I; RSA 541-A:16, I(b)-(d)</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal <u>X</u></p> <p>Readoption <u>X</u></p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Procedural Rules**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Public Utilities Commission (Commission) is proposing to adopt, readopt, readopt with amendment, or repeal all of the rules in Chapter Puc 200, which specifies procedural rules for the Commission. The proposal is a significant change from the current rules and is necessitated due to the division of responsibilities between the Commission and the Department of Energy (Department), which was created under RSA 12-P:2, I by 2021, 91:187, effective 7-1-21.

The intended action of the proposed rule is to codify the administrative changes that occurred after the creation of the Department. The current rule contains numerous outdated sections that no longer apply to the current Commission's format. The proposed rule set includes establishing three new forms. The forms include a notice of appearance, petitioner's automatic disclosures, and a structuring statement. Puc 203.07 clarifies that all requests for Commission action must be made in the form of a pleading. Additionally, significant changes to the Commission's discovery process can be seen in section Puc 204.01.

The existing rules in Part Puc 201 through Part Puc 204 are being repealed or otherwise deleted and replaced by the following Parts:

- Puc 201- Scope and Purpose;
- Puc 202- Definitions;
- Puc 203- General Requirements; and
- Puc 204- Adjudicative Proceedings and Hearings.

The rules in Puc 205 on rulemaking are being readopted or readopted with amendments to make minor changes reflecting the division of responsibilities between the Commission and the Department, which was created under RSA 12-P:2, I.

Puc 206 on alternative regulation is being proposed as a readoption without amendments.

Puc 207 containing Puc 207.01 on declaratory rulings is being repealed and replaced by Puc 204.29 on the same subject.

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

Puc 200 rules affect the Commission, public utility providers, the Department, Office of the Consumer Advocate, and members of the general public.

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

Rule	Statute
Puc 201.01- Puc 201.02	RSA 365:8
Puc 202.01	RSA 365:8, I; RSA 363:17-a
Puc 202.02- Puc 202.04	RSA 365:8, I; RSA 363:17-a
Puc 202.05	RSA 365:8, I; RSA 363:17-a; RSA 365:5
Puc 202.06- Puc 202.07	RSA 365:8, I; RSA 363:17-a
Puc 202.08- Puc 202.22	RSA 365:8, I
Puc 203.01	RSA 365:8, I
Puc 203.02	RSA 365:8, I
Puc 203.03- Puc 203.07	RSA 365:8; RSA 541-A:29-35; RSA 541-A:30-a, III (a)
Puc 203.08	RSA 365:8; RSA 541-A:29-35; RSA 541-A:30-a, III (a)
Puc 203.09	RSA 365:5; RSA 365:8; RSA 12-P:2, III
Puc 203.10	RSA 365:8; RSA 541-A:29-35; RSA 541-A:30-a, III (a)
Puc 203.11	RSA 365:8
Puc 203.12- Puc 203.14	RSA 365:8
Puc 203.15- Puc 203.16	RSA 365:8
Puc 203.17	RSA 365:8; RSA 541-A:32
Puc 203.18	RSA 365:8, I and IV; RSA 365:8, I
Puc 203.19	RSA 365:8
Puc 203.20	RSA 365:8; RSA 365:8, I
Puc 203.21- Puc 203.23	RSA 365:8, I; RSA 541-A:31, III; RSA 365:5; RSA 541-A:38
Puc 203.24	RSA 365:8, I; RSA 365:8; RSA 541-A:31, V; RSA 541-A:38; RSA 641:2
Puc 203.25	RSA 365:8; RSA 541-A:31, V(b)-(d)
Puc 203.26	RSA 365:8, I; RSA 641:1
Puc 204.01	RSA 365:8
Puc 204.02	RSA 365:8; RSA 541-A:29-35
Puc 204.03	RSA 365:8; RSA 541-A:29-35
Puc 204.04	RSA 365:8; RSA 541-A:31, V(b)-(d)
Puc 204.05	RSA 365:8
Puc 204.06	RSA 365:8
Puc 204.07	SA 365:8; RSA 541-A:38
Puc 204.08	RSA 365:8; RSA 541-A:31, V; RSA 541-A:38
Puc 204.09- Puc 204.10	RSA 365:8
Puc 204.11	RSA 365:8; RSA 541-A:33
Puc 204.12	RSA 365:8, I
Puc 204.13- Puc 204.19	RSA 365:8, I; RSA 541-A:33
Puc 204.20	RSA 365:8, I; RSA 541-A:33
Puc 204.21	RSA 365:8, I
Puc 204.22	RSA 365:8, I; RSA 541-A:31
Puc 204.23	RSA 365:8, I
Puc 204.24	RSA 365:8, I
Puc 204.25- Puc 204.26	RSA 365:8, I

Rule	Statute
Puc 204.27	RSA 365:20
Puc 204.28	RSA 365:4; RSA 365:8
Puc 204.29	RSA 365:5
Puc 205.01 - Puc 205.03	RSA 541-A:16, I(c)
Puc 205.04	RSA 541-A:6, III
Puc 205.05	RSA 541-A:11; RSA 541-A:16, I(b) (3)
Puc 205.06	RSA 541-A:11, VII
Puc 206.01 - Puc 206.09	RSA 365:8, III; RSA 365:8, I

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

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or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **July 26, 2024**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Tuesday, July 16, 2024 at 9:00 am**
Physical Location: **N.H. Public Utilities Commission, Hearing Room A 21 S. Fruit Street, Suite 10, Concord, NH 03301**
Electronic Access (if applicable): **N/A**

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

FIS # 24:113, dated 06/05/2024

- 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.
- 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 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.