

STATE OF NEW HAMPSHIRE



DRM 84-1419

DIRECTOR
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OFFICE OF LEGISLATIVE SERVICES

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

December 30, 2004

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

Re: Conditional Approval of Final Proposal 2004-141

Dear Commission Members:

At its meeting on December 30, 2004, the Joint Legislative Committee on Administrative Rules (Committee) voted, pursuant to RSA 541-A:13, V(a), to conditionally approve Final Proposal 2001-141 of the Public Utilities Commission (Commission) relative to rules for gas service. The Committee's approval was conditioned upon the Commission making the changes to the final proposal as requested in the letter dated December 29, 2004 and rule text dated December 30, 2004 submitted to the Committee by Suzanne Amidon on behalf of the Commission. Copies of the letter and rule text are enclosed for your review.

Please note that it was the understanding of the Committee, separate from the conditional approval itself, that all Incorporation by Reference Statements required by RSA 541-A:12, III and IV relative to Final Proposal 2004-141 would also be submitted by the Commission. Suzanne Amidon indicated to the Committee at its meeting on December 30, 2004 that this would be done on Monday, January 3, 2005.

Pursuant to RSA 541-A:13, V(a), as amended by 2004, 180:7, you are required to submit a written explanation detailing how the rules have been amended in accordance with the conditional approval within 7 days following the Commission's next regularly scheduled meeting. It is our understanding from the Commission's web site that the next Commission meeting is scheduled for January 7, 2005. In that case, you would have to respond by January 14, 2005. The explanation shall include a letter and an annotated text of the final proposed rules in Final Proposal 2004-141.

The explanation shall be reviewed by the Office of Legislative Services to determine whether the rules have been amended in accordance with the conditional approval and RSA 541-A: 13, V(a). If it is determined that the rules have not been amended in accordance with the conditional approval and RSA 541-A:13, V(a), the conditional approval shall be deemed a Committee vote to make a preliminary objection as of the date of the conditional approval, and you must respond to the preliminary objection as specified in RSA 541-A:13, V(c).

TDD Access: Relay NH 1-800-735-2964
DIRECTOR (603) 271-3432
LEGAL STAFF (603) 271-3435

FAX: (603) 271-6607

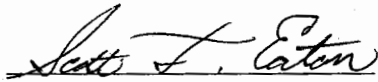
RESEARCH (603) 271-3326
ADMINISTRATIVE RULES (603) 271-3680

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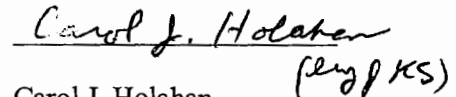
Please be advised that you may not adopt the rule until the Office of Legislative Services sends written confirmation that your amendment is in accordance with the conditional approval and RSA 541-A:13, V(a).

If you have any questions concerning the provisions in RSA 541-A relative to objections, responses, or adoptions, please call Scott Eaton at 271-3680.

Very truly yours,



Scott F. Eaton
Administrative Rules Director


(per JKS)

Carol J. Holahan
Director

SFE/CJH

Enc.

cc: ✓ Suzanne Amidon, Esq., Staff Attorney/Hearings Examiner
Ann F. Larney, Esq., DoJ, Assoc. A.G.