

THE STATE OF NEW HAMPSHIRE

CHAIRMAN  
Amy L. Ignatius

COMMISSIONERS  
Michael D. Harrington  
Robert R. Scott

EXECUTIVE DIRECTOR  
Debra A. Howland



**PUBLIC UTILITIES COMMISSION**

21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

TDD Access: Relay NH  
1-800-735-2964

Tel. (603) 271-2431

FAX (603) 271-3878

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

April 8, 2013

Scott F. Eaton, Esq.  
Administrative Rules Director  
N.H. Office of Legislative Services  
Administrative Rules  
State House Annex, Room 219  
25 Capitol Street  
Concord, NH 03301

Re: Public Utilities Commission Adoption and Filing of  
Proposed Rule 2012-137 (Puc 1100, Rules For Steam Utilities)

Dear Director Eaton:

I am writing in response to Director Sieveking's letter dated February 15, 2013, informing the Commission that it may adopt and file the proposed rule in Final Proposal 2012-137.

By this letter, the Commission files 2012-137 with your office, and confirms that 2012-137 has been adopted as of March 26, 2013. The Commission also certifies that the enclosed material is a true copy of the rule adopted by the Commission.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Ignatius".

Amy L. Ignatius  
Chairman

cc: Jill K. Sieveking, Director

Enclosures (2012-137 Adopted Text)

CHAPTER Puc 1100 RULES FOR STEAM UTILITIES

**Readopt Puc 1101, effective 12-31-04 (Document # 8244), to read as follows:**

PART Puc 1101 APPLICATION OF RULES

Puc 1101.01 Application of Rules. These rules shall apply to all steam utilities as defined in Puc 1102.02.

**Readopt Puc 1102, effective 12-31-04 (Document # 8244), to read as follows:**

PART Puc 1102 DEFINITIONS

Puc 1102.01 "Commission" means the New Hampshire public utilities commission.

Puc 1102.02 "Public utility", "steam utility" or "utility" means any "public utility" as defined in RSA 362:2 owning, operating or managing any plant or equipment or any part of the same for the manufacture or furnishing of steam for the public in the state of New Hampshire.

**Readopt Puc 1103, effective 12-31-04 (Document # 8244), to read as follows:**

PART PUC 1103 QUALITY OF SERVICE

Puc 1103.01 Interruptions of Service.

(a) Each utility shall use all practicable means to avoid interruptions to service, including maintaining appropriate levels of maintenance and planning for unexpected events.

(b) Should interruption occur, the utility shall re-establish service within the shortest time practicable, consistent with safety.

(c) Each utility shall:

(1) Keep a record of all interruptions to service; and

(2) Report service interruptions to the commission on Form E-23, which is described at Puc 1107.09, once a month, if they occur.

(d) When service is interrupted to perform work on lines or equipment, the utility shall perform such work at a time causing minimum inconvenience to customers consistent with the circumstances.

(e) The utility shall notify in advance, if practicable, customers affected by interruption to service to perform work on lines or equipment.

PART Puc 1104 METERS

**Readopt With Amendment Puc 1104.01, effective 12-31-04 (Document # 8244), to read as follows:**

Puc 1104.01 Meter Testing and Accuracy.

(a) All new steam meters and meters which are in service which are tested pursuant to (b) below shall be tested and calibrated to within the tolerances as provided in (d) below before being put into or returned to service.

(b) All meters in service shall be tested in accordance with the following schedule:

- (1) All condensate meters shall be tested at least once every 3 years; and
  - (2) All steam meters shall be tested at least once every 10 years.
- (c) When a customer requests a test of its meter, a utility shall follow the following procedures:
- (1) The utility shall test the accuracy of the customer's meter within 15 days from the time the request is made;
  - (2) Any meter test charge imposed under this paragraph shall conform to the utility's tariff;
  - (3) A customer may be represented in person or by an agent when the utility conducts the test of his or her meter; and
  - (4) The utility shall provide to the customer within 30 days after completion of the test a report giving:
    - a. The name of the customer requesting the test;
    - b. The date of the request;
    - c. The location, the type, make, size, the serial number of the meter;
    - d. The date tested; and
    - e. The result of the test.
- (d) Any meter tested in accordance with (a), (b) or (c) above shall be correct to within 3% before being installed or re-installed.

**Readopt Puc 1104.02-1104.03, effective 12-31-04 (Document # 8244), to read as follows:**

Puc 1104.02 Customer's Bill Adjustments.

- (a) The utility shall make refunds or charges, as applicable, when testing done in accordance with Puc 1104.01(b) or (c) indicates an error greater than 3%.
- (b) Such refunds or charges shall be made in accordance with the terms specified in the utility's tariff.

Puc 1104.03 Meter Records.

- (a) Each utility shall keep numerically arranged and properly classified records giving for each meter owned and used by the utility for any purpose, the following:
  - (1) Identification number;
  - (2) Date of purchase;
  - (3) Name of manufacturer, serial number, type and rating; and
  - (4) Information on each customer on whose premises the meter has been in service, including:
    - a. Name and address; and

b. Date of installation and removal.

(b) The records required by (a) above shall be maintained in a manner such that the date and results of the last test are readily ascertainable.

**PART Puc 1105 DAMAGE PREVENTION, MAPS AND SAFETY**

**Readopt Puc 1105.01-1105.04, effective 12-31-04 (Document # 8244), to read as follows:**

Puc 1105.01 Underground Utility Damage Prevention Program. All utilities shall comply with Puc 800, the underground damage prevention program.

Puc 1105.02 System Maps. Each utility shall have on file at its principal office located within the state a map, maps or drawings showing the following:

- (a) Size, character and location of mains, including valves;
- (b) Size and location of each service line, where practicable, provided that in lieu of showing service locations on maps, a card record or other suitable means may be used.
- (c) Layout of all principal production plants and other facilities to show size, location and character of all major equipment, pipe lines, connections, valves and other equipment used.

Puc 1105.03 Safety Instructions.

- (a) Each utility shall adopt comprehensive instructions for the safety of employees in the operation, construction or maintenance of its plant and facilities.
- (b) Each utility shall institute practices and programs to establish that its employees have been properly informed of safe practices and are cognizant of all hazards involved.

Puc 1105.04 Resuscitation.

- (a) Each utility periodically shall instruct its employees engaged in electrical work, including but not limited to those employees who work on all live electric conductors and equipment, in accepted safety procedures for resuscitation from electrical shock.
- (b) The utility shall instruct all employees engaged in work in hazardous atmospheres such as meter vaults in the procedure to be followed in cases involving asphyxiation.
- (c) The utility shall furnish copies of applicable safety procedures to each employee described in (a) and (b) above.

**Readopt With Amendment Puc 1105.05, effective 12-31-04 (Document # 8244), to read as follows:**

Puc 1105.05 Accidents.

- (a) As soon as possible after each accident occurring in connection with the operation of its property, facilities or services, each utility shall report whether any person(s) has been killed or injured, or if any compensable property damage has been caused.
- (b) The first report of an accident may be preliminary, but, if so, shall be followed later by as full a statement as possible of the cause and details of the accident and the precautions taken, if any, to prevent recurrence.

(c) Accidents to employees resulting in injuries which do not incapacitate the person injured from active work for more than 6 days in total during the 10 days immediately following injury are not required to be reported. The utility shall report any other accident related to its utility operations on Form E-5 described in Puc 1107.05.

**Readopt Puc 1106, effective 12-31-04 (Document # 8244), to read as follows:**

**PART Puc 1106 REPORTING AND ACCOUNTING REQUIREMENTS**

**Puc 1106.01 Reports to Commission.**

(a) Each utility shall provide the commission the results of any required tests and summaries of any required records.

(b) Each utility shall provide the commission with any information concerning the utility's facilities or operations relating to determining rates or judging the practices of the utility pursuant to RSA 378:1.

(c) Each utility shall make records required under this section available to the commission or its staff upon request at the utility's office located in the state of New Hampshire.

(d) Each utility shall file reports with the commission as provided in Puc 1107 on forms described in Puc 1107 in the frequency as specified in Puc 1107.

(e) Each utility shall file with the commission tariffs pursuant to Puc 1600.

(f) Copies of each form shall be furnished by the commission upon request.

**Puc 1106.02 Uniform System or Classification of Accounts.**

(a) Each utility shall maintain its accounts and records in conformity with the "Uniform Classification of Accounts for Gas Utilities" established and issued by the commission as a uniform system of accounts pursuant to RSA 374:8.

(b) The requirements of (a) above shall apply to both the keeping and preservation of accounts and records.

**Puc 1106.03 Short Term Debt.** No utility shall issue or renew any notes, bonds or other evidences of indebtedness payable less than 12 months after the date thereof if said short term debt exceeds 10% of the utility's net fixed plant without prior commission approval pursuant to Puc 201.05.

**Readopt Puc 1107, effective 12-31-04 (Document # 8244), to read as follows:**

**PART Puc 1107 FORMS TO BE FILED BY UTILITIES**

**Puc 1107.01 F-3 Statement of Pro Forma Income Statement at Present and Proposed Rates for Year Ended.**

(a) Each utility which requests a rate increase shall file form F-3 with the commission.

(b) Each utility shall include on form F-3 a breakdown of operating revenues and expenses for:

(1) Actual year ended;

(2) Adjustments and pro forma at present rates;

- (3) At proposed rates with additional requirements; and
  - (4) Total requirements.
- (c) Each utility shall include on form F-3 a calculation of rate base and calculation of rate of return.
- (d) Each utility shall also comply with the requirements of Puc 1600.
- Puc 1107.02 F-4 Petition For Authority To Issue Securities.
- (a) Each utility shall file form F-4 with the commission when it seeks authority to issue securities.
  - (b) Each utility shall include on Form F-4 the following:
    - (1) A petition which shall include:
      - a. A caption;
      - b. Description of authorized and outstanding long term debt and capital stock;
      - c. Amount of short term notes outstanding;
      - d. Description of new securities;
      - e. Description of what proceeds will be used for;
      - f. List of exhibits attached;
      - g. Certification statement as contained in (d) below; and
      - h. Petitioner's prayer asking for the relief requested;
    - (2) Exhibit 1, application for leave to issue securities pursuant to RSA 369:3 including a statement in reasonable detail of any proposed additions, construction or working capital requirements together with any proposed construction budget;
    - (3) Exhibit 2, showing the estimated cost of financing including legal costs, printing, documentary tax, trustee services, financial services;
    - (4) Exhibit 3, current balance sheet adjusted for financing with journal entries and explanations for actual balances, adjustments and balances as adjusted;
    - (5) Exhibit 4, current income statement adjusted for financing including new interest, depreciation and taxes with entries for actual, adjustments and as adjusted;
    - (6) Exhibit 5, statement of capitalization ratios after giving effect to the proposed financing;
    - (7) Exhibit 6, copy of the purchase and sale agreement for long term financing including any letter of commitment from a lender stating details of financing;
    - (8) Exhibit 7, copy of the mortgage indenture;
    - (9) Exhibit 8, copy of terms of new common or preferred stock;
    - (10) Resolution of petitioner's stockholders authorizing the proposed financing; and

(11) An original and 7 copies of the petition and exhibits.

(c) By submitting or signing a Form F-4 petition, the persons submitting the form agree to comply with the certification requirement as set forth in (d) below.

(d) Each utility shall provide in connection with a petition for authority to issue securities, a certification which shall provide as follows:

"The petitioner utility company believes and, therefore, alleges that the securities to be issued will be consistent with the public good and that it is entitled to issue said securities under RSA 369 for the purposes set forth in its petition."

(e) The certification set forth in (d) above shall be executed under oath by the president or chief officer or treasurer or person in charge of the utility's accounts and records whose signature shall be notarized in conformance with New Hampshire law as a sworn statement.

Puc 1107.03 F-16 Annual Report.

(a) Each utility which maintains its books on a calendar year basis shall file a completed "Annual Report" with the commission annually on or before March 31st.

(b) Each utility which maintains its books on a fiscal year which does not coincide with a calendar year shall file a completed "Annual Report" with the commission no later than 90 days following the close of each fiscal year.

(c) Each utility shall include on Form F-16 the following:

(1) List of officers, their compensation, residence, and a list of directors with residence, length of term, term expiration, and fees;

(2) Shareholders names and addresses and voting powers including number of votes, number of shares owned and a schedule of payments to individuals;

(3) Balance sheet accounts schedule including assets and other debits and liabilities and other credits including comparison to previous year;

(4) Fixed capital schedule including comparison to previous year;

(5) Management fees and expenses and distribution of accruals or payments and distribution of total charges.

(6) Non-operating property with beginning of year balance and year end balance, property abandoned schedule and land for future development schedule with beginning and year end balances;

(7) Investments in affiliates and miscellaneous investments showing description of investment stock descriptions, cost to respondent, and book value;

(8) Funds schedule showing sinking, miscellaneous, and depreciation funds with notation of additions and withdrawals;

(9) Prepayment schedule with beginning and year end balance and required securities with date acquired, cost and par value;

(10) Schedule of materials and supplies, accounts receivable and receivables from affiliated companies;

- (11) Schedule of unamortized debt discount and expenses showing debits and credits during year and a schedule of dividends declared during year;
- (12) Capital stock account with stock breakdown and long term debt schedule with the proper breakdown;
- (13) Notes payable schedule showing beginning and end of year balance and a schedule of payables to affiliated companies;
- (14) Depreciation reserve schedule showing debits and credits and an annual depreciation charge schedule;
- (15) Miscellaneous reserves with charges during the year; a miscellaneous unadjusted credits schedule and a tax schedule;
- (16) Income statement including increase or decrease over previous year.
- (17) Capital surplus account showing debits and credits during year; earned surplus account and miscellaneous suspense schedule;
- (18) Operating revenues - composed of service revenue and other revenues which includes a schedule or summary of operating expenses with the increase or decrease over the previous year;
- (19) Operation and maintenance accounts which include amounts by classification and increase or decrease over previous year;
- (20) Analysis of sales and new business expenses with a breakdown into appliance sales, job work sales, and new business;
- (21) Schedule of donations and gifts and accounts charged to;
- (22) Detail of fuel account broken into fuel supplies used in production and the annual cost and average cost of each fuel used and a schedule of materials and supplies with beginning and end-of-year balances;
- (23) Summary of steam plant operation monthly in terms, and accounting of how steam was used and a schedule of revenue by rate class; and
- (24) Certification statement as contained in (d) below.

(d) Each utility shall complete and properly execute under oath a certification form as part of its "Annual Report", which provides as follows:

"We, on our oath do severally say that the foregoing return has been prepared under our direction, from the original books, papers and records of said utility, that we have carefully examined the same, and declare the same to be a complete and correct statement of the business and affairs of said utility, in respect to each and every matter and thing therein set forth to the best of our knowledge, information and belief; and that the accounts and figures contained in the foregoing report embrace all of the financial operations of said utility during the period for which said report is made."



(e) The certification set forth in (d) above shall be subscribed and sworn to under oath by the utility by its president or other chief officer and by its treasurer or other officer in charge of accounts whose signatures shall be notarized before a notary official in conformance with New Hampshire law.

(f) By submitting or signing the "Annual Report", the person submitting the form, on behalf of themselves and the utility, thereby agree to comply with the certification statement set forth in (d) above.

Puc 1107.04 F-22 Information Sheet.

(a) Each utility shall file Form F-22:

- (1) Annually; and
- (2) Whenever any changes occur to the information included in the Form F-22 filing.

(b) Each utility shall include on form F-22 the following:

- (1) The name of utility;
- (2) The person's name and address to receive annual report form;
- (3) The person's name and address to receive the utility assessment tax; and
- (4) The names and titles of the principal officers of the company.

Puc 1107.05 E-5 Utility Accident Report.

(a) Each utility shall file a completed "NHPUC Accident Form" within 10 working days of when an accident meeting the criteria contained in Puc 1105.05 (a) and (c) occurs.

(b) Each utility shall include on the "NHPUC Accident Form" the following:

- (1) Report number, date and name and address of utility;
- (2) Date and location of accident;
- (3) Description of person injured including:
  - a. Name;
  - b. Age;
  - c. Residence;
  - d. Employer; and
  - e. Status of injured person, whether employee, person under contract, invitee, licensee, trespasser or other;
- (4) Description of injury, current condition, duration of disability and, if applicable, anticipated return to work date;
- (5) Description of cause and manner of accident;
- (6) If applicable, cause of death, previous accident report number;
- (7) Designation of federal or state statute violated, if applicable;

- (8) Recommendation for guarding against repetition of accident; and
- (9) Signature and title of signatory.

Puc 1107.06 E-22 Report of Proposed Expenditures for Additions, Extensions and Capital Improvements to Fixed Capital.

(a) Every utility shall report to the commission when the probable cost of any addition, extension or capital improvement to its utility plant will exceed reportable amounts set forth in Table 5.9.1, as follows:

Table 5.9.1 Reportable Amounts by Utility Plant Range

UTILITY PLANT RANGE	REPORTABLE AMOUNT
\$ 400,000 and under	\$ 5,000
400,001 to \$ 1,000,000	10,000
1,000,001 to 2,000,000	15,000
2,000,001 to 3,000,000	22,500
3,000,001 to 50,000,000	30,000
50,000,001 to 100,000,000	50,000
100,000,001 and over	100,000

(b) The reportable amount shall be based on the gross fixed capital, as of December 31st of the calendar year immediately preceding, of each stand-alone or satellite system with an independent source of supply.

(c) Companies with more than \$10,000,000 in fixed capital may use the next higher reporting limit for their satellite systems.

(d) The reporting limits shall apply to total project cost including contributions in aid of construction.

(e) For purposes of paragraph (a), filing with the commission shall consist of:

- (1) A completed E-22 form; or
- (2) With written approval of the commission, a construction budget.

(f) The commission shall accept a construction budget in place of individual E-22 forms if the proposed budget meets the following criteria:

- (1) It highlights all projects above the utility's reporting limit;
- (2) It contains a level of detail appropriate to the expenditures anticipated and to identification of potential project-specific issues; and
- (3) It covers a period of no longer than one year.

(g) The commission shall state whether the approval is for one year or a longer or indefinite period, based on the utility's prior operation and reporting history and projected level of expenditures.

(h) A utility shall file an original and duplicate copy with the commission engineering department as follows:

(1) An individual E-22 form no fewer than 30 days before starting actual construction or expenditure of funds; or

(2) A construction budget no fewer than 60 days before starting actual construction or expenditure of funds.

(i) A utility may provide an additional copy of its filing and request that it be date-stamped and returned to confirm filing.

(j) Investigation of or comment on a construction budget or E-22 by the commission or failure of the staff to identify prudence review issues as described in paragraph (l) below, shall not constitute a final prudence review and the commission shall not be precluded from analyzing the merit of any expenditure in a future rate case.

(k) An E-22 shall be a vehicle by which the commission, pursuant to RSA 374:5, obtains information on proposed utility expenditures and as such the commission shall not be obligated to respond to the E-22.

(l) Commission staff shall make a best effort to initially identify potential prudence review issues which it could raise as part of a rate case within the time periods as follows:

(1) 20 days of receipt of an E-22;

(2) For construction budgets, the later of:

a. 60 days of receipt of the budget; or

b. 30 days prior to a stated project start date.

(m) If the cost of a project is anticipated to fall below the applicable reporting limit but later exceeds it, the utility shall immediately file an E-22 form at whatever time or phase of the project it becomes apparent the limit will be exceeded. This requirement shall include projects listed in a construction budget but not highlighted in accordance with paragraph (f)(1).

Puc 1107.07 E-23 Report of Interruptions of Service.

(a) Each utility shall file Form E-23 monthly with the commission which shall report interruptions of service.

(b) Utilities shall include on form E-23 the following:

(1) Date;

(2) Time of interruption including start, end and total elapsed time;

(3) Location;

(4) Number of customers; and

(5) Cause of interruption.

**Puc 1107.08 E-25 Report of Proposed Changes in Depreciation Rates.**

- (a) Each utility shall file Form E-25 when it proposes any change in depreciation rates.
- (b) Each utility shall include on Form E-25 the following:
  - (1) Name of the company;
  - (2) Date;
  - (3) Account number and title;
  - (4) Estimated life - present and proposed in years;
  - (5) Net salvage - present and proposed by percentage;
  - (6) Depreciation rate -present and proposed by percentage;
  - (7) Net annual change in dollars; and
  - (8) Justification and supportive documentation for the proposed change in depreciation rates.

**APPENDIX**

<b>Provision of the Rule</b>	<b>Specific State Statute the Rule Implements</b>
Puc 1101.01	RSA 365:8, XII
Puc 1102	RSA 365:8, XII
Puc 1103	RSA 365:8, XII; 370:2
Puc 1104.01	RSA 365:8, XII; 370:3-6
Puc 1104.02	RSA 365:8, XII; 370:7
Puc 1104.03	RSA 365:8, XII; 370:3; 374:13
Puc 1105	RSA 365:8, XII; 370:15; 374:37, 39, 48-56
Puc 1106.01	RSA 365:8, XII; 374:5, 13, 15
Puc 1106.02	RSA 365:8, XII; 374:8, 13
Puc 1106.03	RSA 365:8, XII; 374:8, 13
Puc 1107.01	RSA 365:8, XII; 374:2; 378:3
Puc 1107.02	RSA 365:8, XII; 369:1, 3
Puc 1107.03	RSA 365:8, XII; 374:4, 13
Puc 1107.04	RSA 365:8, XII; 374:4, 13, 15
Puc 1107.05	RSA 365:8, XII; 374:15, 37, 39
Puc 1107.06	RSA 365:8, XII; 374:13, 15
Puc 1107.07	RSA 365:8, XII; 374:4, 13, 15
Puc 1107.08	RSA 365:8, XII; 374:15