

STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

April 29, 2013 - 2:14 p.m.
Concord, New Hampshire

NHPUC MAY15'13 PM 4:18

RE: **DRM 13-087**
RULEMAKING:
Puc 600 - Rules for Water Service.
(Hearing to receive public comment)

PRESENT: Chairman Amy L. Ignatius, Presiding
Commissioner Robert R. Scott
Commissioner Michael D. Harrington

Sandy Deno, Clerk

APPEARANCES: **Reptg. the Residential Ratepayers:**
Stephen R. Eckberg
Office of Consumer Advocate

Reptg. PUC Staff:
Marcia A. Brown, Esq.
Mark A. Naylor, Director/Gas & Water Division
Denise McKeen, Legal Division

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

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P R O C E E D I N G

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2 CHAIRMAN IGNATIUS: Okay. Good
3 afternoon. I'd like to open the hearing in Docket DRM
4 13-087, which are the Commission's proposed 600 rules for
5 water service. We have developed rules that have been
6 published through the Rulemaking Register that noticed a
7 public hearing session for this afternoon, beginning at
8 2:00. It's now 2:15. We've been waiting for any
9 interested company representatives or members of the
10 public to appear to receive public comments, and we'll
11 continue to take any comments if anyone arrives. But, at
12 this point, there are no outside interests that have
13 appeared. We do have people from both the Consumer
14 Advocate's Office and the Commission Staff.

15 So, let's begin with appearances. And,
16 then, maybe a quick recitation of the process that's led
17 up to this, and date for written submissions, if anyone
18 wants to submit anything in writing.

19 MR. ECKBERG: Good afternoon,
20 Commissioners. Stephen Eckberg, for the Office of
21 Consumer Advocate.

22 CHAIRMAN IGNATIUS: Good afternoon.

23 MS. BROWN: Good afternoon,
24 Commissioners. Marcia Thunberg, also with me are -- on

1 behalf of Staff, and also with me is Mark Naylor and
2 Denise McKeen.

3 CHAIRMAN IGNATIUS: Thank you. What is
4 the date for written comments? Does Staff know?

5 MS. BROWN: Thank you. Between the OCA
6 and Staff, we were able to look on the Rulemaking Notice
7 Form. And, the date for submission of written materials
8 is May 6, close of business, 2000 -- I'm sorry, close of
9 business, 4:30.

10 CHAIRMAN IGNATIUS: All right. Thank
11 you. So, May 6, 2013. And, Ms. Brown, could you give
12 just a sentence or two on the main thrust of any changes,
13 updates, amendments to the 600 rules.

14 MS. BROWN: There are no changes to the
15 rules. The only edits were to catch internal references
16 to different sections that were incorrect. There are also
17 no changes to the forms. And, Staff has had probably less
18 than ten inquiries from people from the outside requesting
19 copies of the 600 and 700 rules.

20 CHAIRMAN IGNATIUS: Thank you.
21 Mr. Eckberg, is there anything that the Consumer Advocate
22 wanted to bring to the Commission's attention?

23 MR. ECKBERG: No, there isn't. We did
24 review the changes, or the editorial changes, I guess.

1 I'm hesitant to use the word "changes", because, as
2 Attorney Brown said, we have found no language changes at
3 all here in the proposal, and they are strictly internal
4 reference changes from, you know, one subsection to
5 another within the document. So, there seems to be very
6 minimal adjustments to the existing set of rules. So, we
7 find that acceptable.

8 CHAIRMAN IGNATIUS: All right.
9 Commissioner.

10 CMSR. SCOTT: I was just curious, could
11 you outline what efforts you've done to advertise this to
12 the regulated community and others?

13 MS. BROWN: Certainly. Actual notice
14 was conducted shortly after Staff received -- or,
15 assembled the rulemaking package. Actual notice was given
16 to the water utilities for the 600 rules, copies for the
17 -- I guess I won't get into the 700 rules in the 600
18 public hearing. But actual notice was done by First-Class
19 Mail and by e-mail. Although, I noticed in the Docketbook
20 this morning that neither of those efforts were actually
21 documented in Docketbook. And, Staff will correct that,
22 so that there is an actual record of Staff mailing out and
23 e-mailing out and making actual conduct -- actual contact,
24 so that we could effectuate actual notice, versus just

1 legal notice through the Rulemaking Register.

2 CMSR. SCOTT: Thank you.

3 MS. BROWN: Thank you for the question.

4 CMSR. HARRINGTON: I guess I did have
5 one question. In the process of going through this, I
6 understand we didn't add anything or change anything
7 substantially. Was there any attempt to review the rules
8 to see if there was things in here that were no longer
9 necessary that we could get rid of?

10 MS. BROWN: Staff has reviewed these
11 rules through dockets that come up affecting individual
12 utilities. And, over the course of interfacing with the
13 regulated public, none of the rules were called into
14 question. So, in that regard, Staff has reached out to
15 the utilities, but has not canvassed other utilities with
16 a single issue -- objective of soliciting edits to the
17 rules.

18 So, yes, to answer your question, Staff
19 has reviewed the 600 rules for edits. Has decided not to
20 make any edits, because, as it applies these in practice,
21 there have been no problems.

22 CMSR. HARRINGTON: And, so, if it's not
23 broke, don't fix it, I suppose.

24 MS. BROWN: I'd agree with that. Thank

1 you.

2 CHAIRMAN IGNATIUS: All right. Then, I
3 think we will close the hearing and await any written
4 comments that are received by May 6th. And, then, if
5 anything comes in, obviously, we'll take those under
6 consideration as we work through the final stages of
7 adoption of the 600 rules.

8 So, with that, we will adjourn the
9 hearing. And, I appreciate your participation today.

10 **(Whereupon the hearing ended at 2:21**
11 **p.m.)**

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