

STATE OF NEW HAMPSHIRE



**DIRECTOR**  
CAROL J. HOLAHAN

**DEPUTY DIRECTOR**  
JILL K. SIEVEKING

**OFFICE OF LEGISLATIVE SERVICES**

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

August 21, 2009

Rep. Maurice L. Pilotte, Vice-Chair  
Joint Legislative Committee on Administrative Rules  
Office of Legislative Services  
Administrative Rules  
25 Capitol Street, Room 219  
Concord, NH 03301-6312

Re: Waiver of 45-Day Deadline for JLCAR Review of Final Proposal 2009-79

Dear Rep. Pilotte:

In response to the Committee's request on August 20, 2009, I have granted a waiver of the August 31, 2009 deadline under RSA 541-A:13, I for JLCAR action on Final Proposal 2009-79 of the Public Utilities Commission (PUC) relative to utility pole attachments in Puc 1300. The new deadline will be September 17, 2009 as the JLCAR requested.

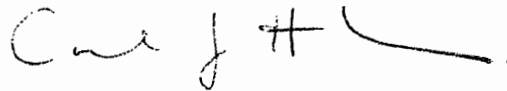
As provided by RSA 541-A:40, IV, as the Director of the Office of Legislative Services (OLS) I have the authority to waive, for good cause shown, any deadline contained in RSA 541-A after consultation with the Chair and Vice-Chair of the JLCAR. The PUC had submitted a conditional approval request for review at the August 20, 2009 regular meeting, but the JLCAR could not hear all the public testimony before a quorum was no longer present. The next scheduled JLCAR meeting is its continued meeting on September 3, followed by its regular meeting on September 17. The JLCAR therefore requested a waiver of its August 31 deadline to at least September 17.

Absent a waiver of the 45-day deadline, the Final Proposal would be considered automatically approved in its original Final Proposal form by the JLCAR after August 31 pursuant to RSA 541-A:13, II(e). This would eliminate the opportunity of hearing all public testimony before the Final Proposal was approved and remove the option of a conditional approval. In light of these circumstances, I agree that good cause exists for waiving the 45-day deadline and hereby grant the waiver as requested, with a new deadline of September 17, 2009.

Rep. Maurice L. Pilotte, JLCAR Vice-Chair  
August 21, 2009  
Page 2

If you have any questions in this regard, please contact legal staff in Administrative Rules at 271-3680.

Very truly yours,

A handwritten signature in black ink, appearing to read "Carol J. Holahan". The signature is fluid and cursive, with a prominent "C" and "H".

Carol J. Holahan  
Director

CJH/SFE

cc: Scott F. Eaton, Administrative Rules Director  
✓ Lynn Fabrizio, Staff Attorney, PUC