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April 15, 2013

Scott F. Eaton, Director
Administrative Rules Division
Office of Legislative Services
State House Annex, Room 219
25 Capitol Street
Concord, New Hampshire 03301

Re: Request for Conditional Approval
Puc 500, Rules for Gas Service
NHPUC Docket No. DRM 11-077

Dear Mr. Eaton:

The New Hampshire Public Utilities Commission (Commission) approved a Final Proposal for Puc 500 Rules for Gas Service, on February 22, 2013. Since that time, the Commission has received and reviewed the Joint Legislative Committee on Administrative Rules (Committee) Staff annotations, as well as a request from one stakeholder to alter a compliance deadline for one provision. The Committee Staff's annotations included numerous editorial comments and suggested corrections regarding documents incorporated by reference.

Commission Staff has carefully reviewed all comments and has resolved the majority of the issues raised. In addition, Commission Staff has corrected a number of typographical errors.

In response to the stakeholder request, Commission Staff also proposes the following change in the compliance date stemming from new requirements for gas leak classification.

Puc 508.04 Leakage Surveys and Inspections

508.04(r) Any leaks identified after ~~July 1, 2013~~, December 1, 2014 shall be classified consistent with these rules.

The resulting revisions are shown in the attached document, for which we request the Committee's conditional approval.

The remaining editorial issues included instances where Committee Staff believe that certain statements of legal standards or sources of Commission authority are unclear in the language of the rules, as outlined below.

Authority to Enforce Certain Federal Requirements

Several provisions of Puc 500 refer to compliance requirements of federal law. See, for example, Puc 501.02(a); Puc 506.01(a) and (d); Puc 512.01(a); and Puc 513.01(a). The Commission, through its Safety Division, obtains its authority to enforce certain federal gas safety requirements pursuant to the Natural Gas Pipeline Safety Act, 49 U.S.C. § 60101 *et seq.*, which recognizes State authority to regulate safety standards and practices concerning intrastate pipeline facilities or intrastate pipeline transportation if that authority has filed a certification of regulatory jurisdiction pursuant to 49 U.S.C. § 60105.

Authority to Promulgate Rules That Are More Stringent than Federal Regulations

In some instances, the Puc 500 rules state that where provisions establish more stringent requirements than those set forth in federal regulations, the more stringent requirements of Puc 500 shall apply. See, for example, Puc 506.01(b); Puc 512.08(a). Under 49 U.S.C. § 60104(c), where a State authority has a submitted to the U.S. Department of Transportation current certification under 49 U.S.C. § 60105, it "may adopt additional or more stringent safety standards for *intrastate pipeline facilities* and *intrastate pipeline transportation*" (emphasis added) as long as those standards are compatible with minimum federal standards.

Authority to Regulate the Transport of Landfill Gas

The Commission derives its authority to regulate the transportation of landfill gas through the certification requirement under 49 U.S.C. § 60105, as described above. While DES has jurisdiction over solid waste, including landfill facilities, pursuant to RSA 149-M and as implemented in its Env-Sw 800 rules, the Commission has authority over the *pipeline transportation* of flammable gases such as landfill gas or methane pursuant to 49 U.S.C. §§ 60101(a)(2) and 60101(a)(3), which respectively define "gas" as "natural gas, flammable gas, or toxic or corrosive gas" and "gas pipeline facility" as "a pipeline, a right of way, a facility, a building, or equipment used in transporting gas or treating gas during its transportation"... and § 60104(c), which confers jurisdiction to States that have submitted the above-noted certification.

DES defines landfills as follows:

> Env-Sw 103.32 "Landfill" means a facility which collects and disposes of waste by landfilling methods. *The term includes facilities that collect and store waste indefinitely.* The term does not include incinerators, land application sites, surface impoundments and injection wells. (emphasis added)

Thus, the Commission's jurisdiction over the transportation of methane, a flammable gas, and the pipelines that transport the gas from landfill sites does not conflict with DES's jurisdiction over the landfill facility itself.

Explanation of Changes Made in the 2001 Edition of "Purging Principles and Practice"

The American Gas Association's "Purging Principles and Practice" referenced in Puc 506.02(i) provides guidelines for maintaining safe atmospheres inside pipes and other facilities that are to be purged into service or taken out of service. Good operating practice as well as federal and state laws require that precautions be taken to minimize or control mixtures of combustible gas in the air during purging, welding and cutting operations. New information presented in the 2001 edition includes guidelines for purging developed by the Gas Research Institute (GRI), now known as the Gas Technology Institute (GTI). In addition, the 2001 edition reflects improvements made in instruments that measure combustible gas mixtures.

The Term "Prudency" in Commission Regulations

The terms "prudence" and "prudency" as used in Commission rules refer to the standard applied in evaluating utility expenditures in the context of ratemaking under RSA 378. See, for example, Puc 509.11 and Puc 510.04. The New Hampshire Supreme Court has explained the prudence standard as follows: "...prudence judges an investment of expenditure in the light of what due care required at the time an investment or expenditure was planned or made..." *Appeal of Conservation Law Foundation of New England, Inc.*, 127 N.H. 606, 637-638 (1986). The terms are used similarly in ratemaking proceedings before the Federal Energy Regulatory Commission, as well. For example, in *New England Power Co.*, 31 FERC ¶ 61,047 at 61,084 (1985), aff'd sub nom. *Violet v. FERC*, 800 F.2d 280 (1st Cir. 1986), the Commission articulated the following applicable prudence standard:

> [W]e reiterate that managers of a utility have broad discretion in conducting their business affairs and in incurring costs necessary to provide services to their customers. In performing our duty to determine the prudence of specific costs, the appropriate test to be used is whether they are costs which a reasonable utility management (or that of another jurisdictional entity) would have made, in good faith, under the same circumstances, and at the relevant point in time. We note that while in hindsight it may be clear that a management decision was wrong, our task is to review the prudence of the utility's actions and the costs resulting therefrom based on the particular circumstances existing either at the time the challenged costs were actually incurred, or the time the utility became committed to incur those expenses.

Commission Website Link to Forms Required by Rules

The Commission is in the process of updating and posting all forms referenced in its rules, as each rule is submitted for readoption. We have established a link to a "Forms" page from our home page (www.puc.nh.gov). The Forms page is still under construction as we finalize the various documents and rulemakings that are affected. We anticipate that the forms referenced in the Puc 500 rules will be posted by the time the rules go into effect. However, we have chosen to make the web reference within the rules go to the Forms link on the home page, rather than to each individual form, to facilitate the overall process as the various rulemakings proceed.

Thank you for your consideration.

Sincerely,

Lynn Fabrizio

Lynn Fabrizio
Director of Administration

cc: Docket Service List (by e-mail)

Readopt with amendment Puc 500, effective 1-19-05 (Doc. #8259), to read as follows:

CHAPTER Puc 500 RULES FOR GAS SERVICE

PART Puc 501 APPLICATION OF RULES

Puc 501.01 Application of Rules.

(a) Puc 503 – Puc 511 shall apply to all utilities, with the exception of LPG operators and landfill gas operators, engaged in the business of manufacturing, distributing, selling, transmitting or transporting gas in the state of New Hampshire.

(b) Puc 512 and 513 shall apply only to LPG operators and landfill gas operators as defined in Puc 502.11 and Puc 502.14~~(a)~~.

Puc 501.02 Purpose.

(a) The purpose of these rules is to implement the Commission's responsibility pursuant to the Natural Gas Act, 15 USC § 717 (c), the Natural Gas Pipeline Safety Act 49 USC § 60105, and New Hampshire law regulating gas utilities and gas utility service.

PART Puc 502 DEFINITIONS

Puc 502.01 "Check flow" means a flow rate of 15% to 25% of the rated capacity of a meter.

Puc 502.02 "Commission" means the New Hampshire public utilities commission.

Puc 502.03 "Cubic foot" means, for the purpose of measurement of gas to a customer, the amount of gas which occupies a volume of one cubic foot under the conditions existing in the customer's meter as and where installed, provided such meter is not subject to abnormal temperature conditions unless the meter is designed with temperature compensation.

Puc 502.04 "Economic conservation" means conservation activities that cost less to implement than the value of the resources saved.

Puc 502.05 "Fast" means greater than plus 2% accuracy.

Puc 502.06 "Gas" means any manufactured or natural gas or any combination thereof.

Puc 502.07 "Incident" as defined in 49 CFR Part 191.3.

Puc 502.08 "Jurisdictional LPG system" means:

(1) A system involving a single source which serves 10 or more customers;

(2) A system where more than one customer is located in a public place.

Puc 502.09 “Landfill” means a facility which collects and disposes of waste by landfilling methods. The term includes facilities that collect and store waste indefinitely. The term does not include incinerators, land application sites, surface impoundments and injection wells.

Puc 502.10 “Landfill gas” means any flammable composed of methane and carbon dioxide and produced by aerobic and anaerobic decomposition of organic solid waste in a landfill.

Puc 502.11 "Landfill gas operator" means a person who engages in the transportation of landfill gas off site from the premises in which it was gathered except where the landfill gas is transferred in a pipeline that operates at less than atmospheric pressure from the premises where it was gathered to the premises where it is used and where both premises are controlled by the same entity.

Puc 502.12 "LNG" means liquefied natural gas.

Puc 502.13 "LPG" means liquefied petroleum gas.

Puc 502.14 "LPG operator" means a person who engages in the transportation of propane gas. An LPG operator includes but is not limited to an individual or supplier operating a jurisdictional LPG system in a housing project, apartment complex, condominium, manufactured home park, shopping center or other system except those systems operated in support of a utility.

Puc 502.15 "Master meter system" means any underground gas pipeline system operated by a residential or commercial customer of a New Hampshire gas utility and utilized for the distribution of gas to ultimate consumers within, but not limited to, a definable area, such as a manufactured housing park, a housing project or an apartment complex, where the operator purchases metered gas from a public utility for resale through the operator's distribution system, which is beyond the control of the utility, and where the ultimate consumers served by the operator's distribution system purchase the gas directly through a meter or by other means, such as through rents.

Puc 502.16 "Meter" means a device which measures gas flow and which may include a gas diaphragm type, a rotary positive displacement type, an inferential turbine type or an ultrasonic type.

Puc 502.17 "Open Flow" means a flow rate of 80% to 120% of the rated capacity of a meter.

Puc 502.18 "Peak Shaving" means the use of fuels and equipment to generate or manufacture gas to supplement the normal supply of pipeline gas during periods of extremely high demand.

Puc 502.19 "Person" means an individual, firm, joint venture, partnership, corporation, association, state, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof but shall not include a municipality operating a gas system pursuant to RSA 38.

Puc 502.20 "Public place" means a place which is generally open to all persons in a community, such as churches, schools, and commercial buildings, as well as any publicly owned rights-of-way or property.

Puc 502.21 "Slow" means greater than minus 2% accuracy.

Puc 502.22 "Standard gravitational force" means acceleration at 32.17 feet per second squared.

Puc 502.23 "Total heating value" means the number of British thermal units (Btu) produced by the combustion, at constant pressure, of the amount of gas which would occupy a volume of one cubic foot at a temperature of 60 degrees Fahrenheit and under standard gravitational force with air of the same temperature and pressure as the gas, when the products of combustion are cooled to the initial temperature of the gas and air, and when the water formed by combustion is condensed to the liquid state.

Puc 502.24 "Turbine Meter" means an inferential type meter.

Puc 502.25 "Utility" means any "public utility" as defined in RSA 362:2 engaged in the manufacture, distribution, sale, transmission or transportation of gas in the state, ~~and~~ as limited~~clarified~~ in RSA 362:4-b~~c~~ with respect to liquefied petroleum gas.

PART Puc 503 SERVICE PROVISIONS

Puc 503.01 Filing of Tariffs. No utility shall render service until a complete tariff, containing terms and conditions and rate schedules, shall have been published and filed with the commission in accordance with Puc 1600.

Puc 503.02 Measurement of Services. A utility shall charge for all gas sold or transported on a metered basis.

Puc 503.03 Meter Reading.

(a) Each service meter of the displacement type shall indicate clearly the cubic feet of gas registered.

(b) When gas is measured under high pressure or when the quantity is determined by calculation from recording devices, the utility shall supply the customer with the information needed to make clear the method by which the quantity is determined.

(c) All meter constants shall be plainly marked on the face of the meter.

Puc 503.04 Change in Character of Service.

(a) A utility shall provide certain services to its customers when service conditions such as change in pressure or composition of the gas affect or would affect efficiency of operation or adjustment of appliances.

(b) When any change occurs as described in (a) above, a utility shall, without undue delay and without charge, inspect the appliances of its customers and, if necessary, readjust those appliances for the new conditions.

PART Puc 504 QUALITY OF GAS SERVICE

Puc 504.01 Heating Value Requirements.

(a) Each utility shall establish its own standard heating value for the gas it furnishes the public. At no time shall the daily average heating value be less than the established standard. The standard adopted by the utility shall be stated in its tariff.

(b) Each utility shall, unless it only takes gas from interstate pipelines or obtains a waiver pursuant to Puc 201.05, maintain equipment for measuring thermal content as follows:

(1) Each utility shall maintain a standard calorimeter outfit or gas chromatograph for the regular determination of the heating value of gas sold; and

(2) Each utility shall use the manufacturer's recommended procedures as a basis for:

a. Maintaining the accuracy of all calorimeters and gas chromatographs; and

b. The method of measuring heating value tests.

(c) The total heating value of the gas shall be determined at least once daily and more often as is necessary to obtain an accurate record of the average heating value and of the fluctuation in heating value.

(d) Each utility shall provide a definition in its tariff of the methodology used to determine the thermal heating value.

(e) To obtain the monthly average heating value the results of all tests of heating value made on any day during the calendar month shall be averaged, and the average of all daily averages shall be taken as a monthly average.

(f) If a utility's calorimeter or gas chromatograph is of the recording type, its record shall be used in determining the average heating value provided that the recording calorimeter or gas chromatograph is checked at least annually.

(g) Heating value reports shall be made to the commission on Form E-6 once a month pursuant to Puc 509.08.

Puc 504.02 Purity Requirements. All gas distributed in New Hampshire shall contain not more than 20 grains of total sulphur per 100 cubic feet nor more than one fourth of one grain of hydrogen sulphide per 100 cubic feet. Upon customer request, the utility shall provide the sulphur content for the volume billed.

Puc 504.03 Pressure Requirements.

(a) Pipeline systems containing cast iron segments shall be limited to a maximum pressure of 13.8 inches of water column.

(b) Consistent with system design, the pressure at the outlet of any customer's service meter shall never be:

(1) Less than 4 inches of water column; or

(2) Greater than 13.8 inches of water column, except by written agreement with the customer.

(c) In order to maintain records of pressure, each utility shall maintain in continuous operation a sufficient number of pressure recording devices in each area where the utility maintains a distribution system.

(d) All pressure records obtained under paragraphs (b) or (c) above shall be retained by the utility for at least 5 years and shall be available for inspection by the commission or its agents.

(e) For pressures at the outlet of any customer’s service meter that exceed (b) (2) above, a legible permanent identification that includes the maximum delivery pressure shall be installed at the service meter no later than July 1, 2016. If the utility determines that a previously installed identification is not present, the utility shall install a new permanent identification as soon as practicable but no later than 60 days upon discovery of the missing identification.

(f) The utility shall retain a copy of all written customer agreements for the initial installation of any service with delivering pressures greater than 13.8 inches of water column. Such records shall be retained until the service line has been abandoned.

(g) Each utility shall make reports of pressure complaints monthly to the commission on Form E-8 pursuant to Puc 509.10.

Puc 504.04 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 interruptions occur, a utility shall reestablish service within the shortest time practicable consistent with safety.

(c) Each utility shall keep a record of all interruptions to service.

(d) Each utility shall include in its record of service interruptions the following:

(1) The date and time of interruption;

(2) The approximate number of customers affected;

(3) The date and time of service restoration;

(4) The cause of such interruption when known; and

(5) A description of steps taken to prevent its recurrence.

(e) Each utility shall provide emergency notification to the commission of service interruptions as provided in Puc 504.05(a).

(f) Each utility shall report to the commission all service interruptions on Form E-23, pursuant to Puc 509.12, once a month, if any interruption occurs.

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

(h) Customers seriously affected by interruption to service to perform work on lines or equipment shall be notified in advance, if practicable.

(i) A utility shall provide actual notice of a planned service interruption to any customer of which it has notice whose service will be interrupted and who would encounter a potentially life-threatening situation as a result of a service interruption of the type planned.

Puc 504.05 Emergency Notification.

(a) The utility shall notify the safety division of the commission by telephone when any of the following events occur:

(1) A release of gas from a pipeline, release of LNG or LPG, or release of gas from a LNG or LPG facility that results in:

a. A death;

b. Personal injury necessitating same day professional medical treatment; or

c. Estimated property damage of $5,000 or more;

(2) A fire or an explosion at, or emergency shutdown of, a liquefied natural gas facility, or propane-air facility;

(3) An evacuation of a building conducted by a fire department, utility or other emergency personnel because of the presence of gas in the atmosphere or in, or in the immediate vicinity of, the building;

(4) An unplanned service interruption or gas outage that is expected to result in 50 or more customer outage hours;

(5) A single outage occurring at a state, federal, or municipal facility, hospital, school or other facility in which the public could be affected;

(6) A breach of security or other threat that jeopardizes the operation of a utility's major facilities;

(7) Any exceedance of maximum allowable operating pressure of any duration, including accidental overpressurizations, consistent with Puc 506.01(a);

(8) A gas facility-related event, that the utility is aware of or has reason to believe has been or will be reported in the news media, including, but not limited to, a shutdown of a major highway, arterial roadway or rail system,~~;~~ or where a person identified as a news reporter was present;

(9) When the utility confirms that levels of odorant do not meet the requirements of Puc 506.02(m); or

(10) An event which is significant in the judgment of the utility, even though it is not described above.

(b) A utility shall not be required to determine or document the presence or involvement of gas in any incident or event before notifying the commission.

(c) The telephone notification shall be made promptly, but no more than one hour~~s~~ following confirmed discovery by the utility of the event or any incident defined in Puc 504.06.

(d) The utility shall provide to the commission representative who responds to the call the following information:

(1) Identity of reporting utility;

(2) Name, title, and location of the person reporting the incident and contact information;

(3) Location of the incident including street address and city or town;

(4) Number of known or estimated fatalities and personal injuries, if any;

(5) Type and extent of known or estimated property damage;

(6) Description of the incident or event including any significant facts known by the utility that relate to the cause and resolution of the problem;

(7) Date and hour the incident occurred and was discovered by the utility and, to the extent known, by any other party;

(8) For a service interruption, gas outage, or evacuation of a building, the estimated or known number of people and/or customers affected and the estimated or actual duration of the outage; and

(9) When the Office of Pipeline Safety of the United States Department of Transportation was, or will be, notified of the incident, if applicable.

Puc 504.06 Incident Reporting.

(a) In addition to the emergency notification required in Puc 504.05, a utility shall also report in writing to the commission any incident occurring in connection with its facilities and services, as follows:

(1) In accordance with 49 C.F.R. §191.9 and §191.15, a utility shall report to the commission, within 20 days following discovery, any incident which the utility shall be required to report to the federal Office of Pipeline Safety pursuant to 49 C.F.R. 191.9, which report shall be made ~~to the commission~~ on federal Department of Transportation form PHMSA~~RSPA~~ F 7100.1, which is entitled, "Incident Report - Gas Distribution Systems" and a copy thereof shall be submitted to the commission; and

(2) A utility shall report each month, pursuant to Puc 509.15, the status of any leaks occurring in its gas distribution system.

(b) A utility shall file any report required pursuant to (a)(1) above in addition to any report required pursuant to (a)(2).

(c) When additional relevant information is obtained after a report under this section is submitted, the utility shall make a supplementary report to the commission conveying this information.

Puc 504.07 Emergency Response.

(a) For any utility that serves a single municipality or serves fewer than 2,500 customers, emergency response shall be limited to within 30 minutes.

(b) Reports on emergency response times shall be submitted as follows:

(1) For any response time in excess of 30 minutes, the utility shall report the amount of time it took to arrive at the location of the report of gas odor, the location of the report of gas odor, and a detailed explanation for its failure to respond to the location within 30 minutes and preventive measures taken to limit potential future exceedances.

(2) On a monthly basis the utility shall report the number of gas odors responded to, leaks and other unplanned releases of gas responded to, and any other emergency responses. The report should include the date, time and location of emergency response and reason for emergency response.

PART Puc 505 METER INSTALLATION, ACCURACY AND TESTING

Puc 505.01 Meter Installations.

(a) Unless it obtains a waiver from the commission pursuant to Puc 201.05, each utility shall provide and install at its own expense and shall continue to own, maintain and operate, all equipment necessary for the regulation and measurement of gas to its customers.

(b) When additional meters or increased pressures at the meter outlet, exceeding those required by Puc 504.03, are furnished by the utility at the request of a customer, a charge for such meters, equipment and the labor to install them may be made to the customer consistent with existing retail rates.

(c) Meter installations shall be protected from anticipated or potential dangers, including but not limited to vehicles, ice, snow, flooding, or corrosion.

(d) No gas utility in this state shall provide gas service to any master meter system constructed after July 1, 2013, without written approval from the commission. The commission shall approve such service only if found to be consistent with safe and reliable service requirements set forth in these rules and the associated rates and charges for such service are found to be just and reasonable pursuant to RSA 378.

Puc 505.02 Inspection of Meters.

(a) Each utility shall take all necessary steps to have each of its meters accurately measure the flow of gas.

(b) All new meters shall be inspected for measurement accuracy before being installed on a customer's premises.

(c) All meters removed from service which are to be reinstalled shall be:

(1) Inspected for measurement accuracy; and

(2) Repaired by replacing worn or damaged parts.

Puc 505.03 Test and Calibration of Meters.

(a) Each utility shall test all meters for accuracy at both check flow and open flow, as found, prior to adjustment or repair, except for meters removed from service specifically for known leakage, damage, tampering, or non-registration, and meters that have been selected for retirement.

(b) Each utility shall monitor those meters which have been removed from service specifically for known leakage, damage or non-registration on an annual basis to identify problems with certain meter types or manufacturer.

(c) Each utility shall calculate meter accuracy by adding open flow accuracy and check flow accuracy, and dividing the sum by two.

(d) Each utility shall maintain records for each group of meters and shall include in such records the meter accuracy rates for each group for the previous calendar year.

(e) The established meter groups identified in Table 505-1 shall be tested under this part as follows:

Table 505-1 Established Meter Groups

GROUP	TYPE	CAPACITY
A	Diaphragm	0 to 500 cubic feet per hour (CFH)
B	Diaphragm	Greater than 500 CFH
C	Rotary	All
D	Turbine	All
E	Ultrasonic	All

(f) Utilities shall divide the meter accuracy data into 3 accuracy categories, each expressed as a percentage of the total number of meters in a group, as follows:

(1) Slow meters;

(2) Those meters with an accuracy rate of plus or minus 2 percent; and

(3) Fast meters.

(g) When calculating the accuracy categories for (f) (1) through (3) above, the utility shall round the result up to the next whole number.

(h) When a remote meter read device is utilized, the utility shall verify the accuracy of the remote read device whenever the meter is removed from service.

Puc 505.04 Test Schedule for Gas Meters.

(a) Utilities shall not be required to test meters with a purchase year which indicates an age of 10 years or less provided that the meters belong to a group identified in Puc 505.03(e) demonstrating an accuracy rate of 96 percent or better, and the utility has the manufacturer's proof test on file.

(b) Each utility shall, on an annual basis, calculate an accuracy rate for each group of meters identified in Table 505.1 of Puc 505.03(e) by calculating the percentage of slow, fast and accurate meters in the group for purposes of determining the number of meters to be brought in for testing in the subsequent year.

(c) Each utility shall, on an annual basis beginning March 1, 2005, examine the previous year's tested meter accuracy data for each group of meters identified in Table 505.1 of Puc 505.03(e) to determine the sampling plan for the current year.

(d) Each utility shall use accuracy data derived in the previous years' testing for the establishment of the minimum quantity of meters to be tested per group for the current year.

(e) The applicable accuracy rate shall determine the minimum number of meters to be tested according to Table 505-2.

Table 505-2 Minimum Number of Meters to be Tested at Accuracy Rates per Group Identified in Puc 505.04(d)

Number of Meters Active in Meter Group	**Accuracy Rates**				
	96 to 100%	**93 to 95%**	**90 to 92%**	**87 to 89%**	**less than 87%**
2 to 8	5	5	5	5	Testing as provided in Puc 505.04 (g)
9 to 15	5	5	5	8	
16 to 25	5	5	8	13	
26 to 50	5	8	13	20	
51 to 90	8	13	20	32	
91 to 150	13	20	32	50	
151 to 280	20	32	50	80	
280 to 500	32	50	80	125	
501 to 1,200	50	80	125	200	
1,201 to 3,200	80	125	200	500	
3,201 to 10,000	125	200	500	1,000	
10,001 to 35,000	200	500	1,000	2,000	
35,001 to 100,000	500	1,000	2,000	3,000	

Greater than 100,000	1,000	2,000	3,000	4,000	

(f) For any group of meters with accuracy rates of 95% or less, the utility shall randomly select the meters to test as follows:

(1) The utility shall select 80% of those meters for testing from the group of meters that have operated for the longest period of time without being tested; and

(2) The utility shall select 20% of those meters for testing from the group of meters removed from service for non-use or load change.

(g) For any group of meters with accuracy rates of 87% or less, the utility shall attempt to determine the defect responsible for failure and, if the utility cannot identify the defect, or, if the defect is due to the manufacturer, the entire group of meters shall be removed from service.

(h) Utilities shall conduct calibration and accuracy tests of rotary and turbine meters either in the field or at a meter shop and in accordance with manufacturer-recommended procedures and performance standards.

Puc 505.05 Customer Requested Tests.

(a) When a customer requests a meter test, 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) If the meter has been tested at no charge during the preceding 6 months, a utility may require the deposit of a fee in an amount as specified in the utility's current tariff for such a test;

(3) If upon testing the meter is found to be in error by more than 2%, the deposit shall be promptly refunded;

(4) If the meter is not found to be in error by as much as 2%, the utility may retain the amount deposited for the test;

(5) A customer may be represented in person or by an agent when the utility conducts the test of the customer’s meter; and

(6) 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 and the serial number of the meter;

d. The date tested; and

e. The result of the test.

(b) When a customer makes written application to the commission for testing of a meter, the following shall occur:

(1) The commission staff shall arrange to have the meter tested in staff's presence, as soon as practicable; and

(2) The utility, when notified of a customer application for a meter test as herein provided, shall not knowingly remove, interfere with, or adjust the meter to be tested without the written consent of the customer and approval by the commission for a waiver pursuant to Puc 201.05.

(c) Reports of periodic tests of meters shall be submitted to the commission on a Form E-7, pursuant to Puc 509.09, once a year. Reports of requests for tests shall be submitted to the commission on Form E-24, pursuant to Puc 509.13, once a month.

(d) The utility shall retain a complete record of the last test made on a meter.

Puc 505.06 Customer Bill Adjustments.

(a) When a customer's meter or remote read device has been found to be fast or slow, as a result of a meter test made by or on behalf of the utility and at the request of the customer, an adjustment shall be made to the customer's bill.

(b) If the meter or remote read device is found to be a fast meter, the utility shall refund to the customer an amount equal to no less than the charges billed for the excess gas over the previous 24~~12~~ months of billing.

(c) If the meter or remote read device is found to be a slow meter, the utility shall bill the customer for no more than the unbilled gas supplied during the previous 6 months.

(d) If the meter or remote read device is found to not be registering usage, the utility shall bill the customer for no more than the gas it determines the customer used during the previous 6 months. Determination of gas used shall be based upon information recorded by the meter prior or subsequent to the period of non-registration and on any other pertinent information supplied by the customer or known to the utility.

(e) If a meter is determined to have been assigned to the wrong customer and the customer has been billed based on usage recorded on a meter connected to residential or commercial space not occupied by the customer, the utility shall correct the billing to the affected customers as follows:

(1) for customers who have been underbilled, invoices for the billing difference shall cover the customer's period of occupancy or 6 months, whichever is shorter; and

(2) for customers who have been overbilled, refunds of the billing difference shall cover the period of occupancy or 24 months, whichever is shorter.

Puc 505.07 Testing Facilities and Equipment.

(a) Each utility shall maintain the equipment and facilities necessary for accurately testing all types and sizes of meters employed for the measurement of gas to its customers, unless arrangements approved by the commission, pursuant to Puc 201.05, have been made to have such testing done elsewhere.

(b) Meter provers used by the utility or its agent for the testing of meters shall be of a type recommended by the manufacturer and of a capacity of not less than 5 cubic feet.

(c) Each meter prover shall be supplied with accessories needed for accurate meter testing and shall be located in a room suitable for the work to be done.

(d) The utility shall maintain, or cause to have maintained on its behalf, the meter prover in good condition and correct adjustment so that it can determine the accuracy of any gas meter to within 1/2 of one percent.

PART Puc 506 EQUIPMENT AND FACILITIES

Puc 506.01 Pipeline Safety Standards.

(a) All utilities including those with propane storage facilities shall comply with those pipeline safety regulations established by the United States Department of Transportation which are set forth in 49 C.F.R. Parts 191, 192, 193, 198 and 199, including future amendments thereto.

(b) Where Puc 500 or Puc 800 establishes more stringent requirements than those pipeline safety regulations adopted pursuant to (a) above, the more stringent requirement set forth in Puc 500 or Puc 800 shall apply.

(c) After January 1, 2007, only an individual who meets operator qualifications in accordance with 49 CFR Part 192, Subpart N shall perform an activity which:

(1) Is performed on a pipeline facility, whether new or existing;

(2) Is an activity involving operations, maintenance or new construction;

(3) Is performed as a requirement of this part; and

(4) Affects the operation or integrity of the pipeline.

(d) Utilities shall ensure and document that welders performing welding work on utility pipeline facilities are qualified, as follows:

(1) No utility shall permit a welder to make any pipeline weld unless the welder has qualified by destructive testing within the preceding 63 months, but at least once every 5 calendar years in accordance with 49 C.F.R. §192.7 and Appendix C to Part 192;

(2) Utilities shall verify that any welder originally qualified under an earlier edition of Section 6 of American Petroleum Institute Standard 1104, Welding of Pipelines and Related Facilities (API 1104), as referenced in 49 CFR §192.7, shall be certified by the referenced edition;

(3) Puc 506.01(d)(1) and (2) shall not apply to those portions of LNG facilities or propane storage facilities that are not subject to 49 CFR Part 192; and

(4) No utility shall permit a welder to weld with a particular welding process unless the welder has engaged in welding with that process within the preceding 6 calendar months. Utilities shall verify that a welder who has not engaged in welding with that process within the preceding 6 calendar months is requalified for that process as set forth in subsections (1) and (2) above.

(e) In addition to the above requirements, the operator shall ensure that all welds are visually inspected by a welding inspector qualified in accordance with API 1104, section 8.3, and that welds are evaluated consistent with API 1104, section 9, as referenced in 49 CFR § 192.7.

(f) For ~~those welding~~ projects that include welds on any pipeline main or transmission line operating at pressures greater than 60 pounds per square inch gauge (psig), or welds at a service and main interface or a service and transmission line interface operating at such pressures, or any welding project involving a pressure regulator station, the operator shall:

(1) Conduct a non-destructive field test on at least 10 percent of welds completed for a project that consists of at least 10 welds; or

(2) Conduct a non-destructive field test on at least one weld for projects that include 5 to 9 welds.

(g) Non-destructive tests shall include but not be limited to radiographic, magnetic particle, liquid penetrant, or ultrasonic tests, but shall not include visual inspection, and shall be evaluated using the criteria set forth in API 1104, section 9 ~~criteria~~, as referenced in 49 CFR §192.7.

(h) If any weld fails a non-destructive test, that weld shall be repaired and retested, and the utility shall perform non-destructive tests on no less than 50 percent of all welds for that project. Upon additional failures, the utility shall repair the failed welds and perform non-destructive tests on 100 percent of all welds for that project.

(i) Puc 506.01(e), (f), (g) and (h) shall not apply to those portions of LNG facilities or propane storage facilities that are not subject to 49 CFR Part 192.

(j) Inspection of Materials as required by 49 C.F.R §192.307 and Repair of Pipe as required by 49 C.F.R §192.311 shall be applicable to all plastic pipelines including services.

(k) A utility shall ensure the periodic inspection and calibration of all equipment, used in construction, operations, and maintenance activities where improper calibration or failure to inspect could impact its performance. Equipment calibrations shall be in accordance with the frequencies defined in the manufacturers' procedures and specifications.

(l) Utilities shall have the means to verify calibrations of all such equipment covered under (k) above ~~calibrations~~ in the field upon the request of the safety division.

(m) Whenever conditions permit, gas service lines installed after July 1, 2013 shall be installed with a cover of not less than 18 inches above the top of the pipe, except where interference with other sub-surface structures or the insertion of previously installed service lines makes it impracticable to maintain this depth of cover. In such cases, applicable protective devices such as steel plating or concrete padding shall be installed. Installation of protective devices shall be documented and records kept for the life of the pipeline.

(n) Utilities shall not install or operate a gas regulator that could release gas closer than 3 feet to a source of ignition, an opening into a building, an air intake into a building or any electrical source not intrinsically safe, as follows:

(1) The 3-foot clearance from a source of ignition shall be measured from the vent or source of release (discharge port), not from the physical location of the meter set assembly; and

(2) For encroachment within the required 3-foot clearance caused by an action of the property owner or occupant after the initial installation, the encroachment shall be resolved by extending the regulator vent to meet this requirement within 90 days of discovery.

(o) Pipelines shall be laid on continuous bedding consisting of suitable rock free materials or well compacted soil as follows:

(1) If piping is to be laid in soils which may damage the piping, the piping shall be protected before back-filling is completed;

(2) Plastic piping shall not be supported by blocking; and

(3) Well tamped earth or other continuous support shall be used.

(p) Gate stations and district regulating stations that utilize regulator(s) to provide the primary means of overpressure protection shall be designed and installed to incorporate equipment that indicates the station outlet pressure and confirms the proper operation of the regulator(s) as follows:

(1) Such equipment may include telemetering equipment that communicates with central SCADA systems, local chart or digital pressure recorders or other local indicator;

(2) When the operator chooses to use a pressure gauge as the separate device to comply with this section, the pressure gauge shall have the capability to record the high pressure, such as a recording chart or tattle-tale needle, but a standard sight gauge shall not be deemed adequate for this purpose; and

(3) Utilities shall inspect pressure regulating stations monthly to ensure proper operation and to confirm the proper operation of the regulating equipment.

(q) Each customer meter, gas regulating station, or any aboveground gas transporting facility shall be permanently marked to identify the operator's name.

(r) Gas regulating stations and aboveground gas transporting facilities shall be permanently marked to identify the operator's contact information for emergencies.

(s) Marking of facilities under (q) and (r) above shall be accomplished by metal signs, line markers, plastic decals, or other appropriate means and shall be completed by July 1, 2016.

(t) Each single fed distribution system shall be equipped with telemetering or recording pressure gauge or gauges as may be required to properly indicate the gas pressure in the system at all times, in accordance with the following:

(1) At least once each year the pressure variation shall be determined throughout each system; and
(2) By January 1, 2016, telemetering shall be the sole method used to properly indicate the gas pressure at all times for each single fed distribution system when the following conditions are present:
a. The single fed distribution system serves more than 150 customers; or
b. The downstream temperature on the outlet side of the pilot operated pressure regulator(s) is predicted to be lower than 32 degrees Fahrenheit and no system pre-heat or regulator pilot heat is installed.

Puc 506.02 Construction, Operations and Maintenance.

(a) Except as established herein or by municipal regulations that are more stringent than the state or federal requirement, each utility shall construct, install, operate and maintain its plant, structures, equipment and gas pipelines:

(1) In accordance with all applicable federal and state requirements, including but not limited to the requirements of the "Utilities Accommodation Manual," February 2010 edition, of the New Hampshire state department of transportation adopted by the commissioner pursuant to the powers under RSA 228:21, which establishes uniform practice regarding the accommodation of utilities within state highway rights-of-way;

(2) After weighing all factors, including potential delay, cost and safety issues in such a manner to best accommodate the public, giving particular weight to safety issues that affect the public; and

(3) To prevent potential interference with service furnished by other utilities including electric, telephone, water, sewer, steam and other underground or above ground facilities.

(b) Pipelines shall be laid at least 12 inches away from any other underground structure unless such clearance cannot be achieved in which case they shall be laid in proximity with other underground structures as is consistent with good engineering practice. Clearances less than 12 inches shall be documented and records kept for the life of the pipeline.

(c) No new pipeline installation shall be made in any non-accessible areas under any building after July 1, 2013.

(d) Written construction procedures shall include specific provisions for directional drilling and other trenchless technology installation methods that minimize the potential damage to gas pipelines and other underground facilities as listed in 506.02(a)(3).

(e) Gas pipelines, including new proposed construction or replacements, that are to be operated at a pressure greater than 60 pounds per square inch gauge shall not, be installed under roads, public waters or railroad crossings without notification to the commission's safety division at least 10 days prior to construction of the crossing and vicinity.

(f) The utility shall avoid any interfering structure which provides a space in which a substantial accumulation of explosive mixture might accumulate in the event of a leak. Preference shall be given to crossing over rather than under such structure but minimum cover requirements shall be maintained. In those situations where minimum cover cannot be maintained, applicable protective devises such as steel plating or concrete padding shall be installed. Installation of protective devices shall be documented and records kept for the life of the pipeline wherever possible.

(g) Each utility shall design and install all electrical wire fixtures and devices in accordance with the National Electric Code as adopted by RSA 155-A:1, IV.

(h) All meter and regulator station buildings shall be provided with permanent natural draft ventilating devices sufficient to accomplish an average of 5 changes of air per hour.

(i) Each utility shall comply with the requirements for purging pipelines established by the Purging Principles and Practice, 2001 edition, of the American Gas Association.

(j) Within 2 years of a meter being continuously locked or removed, the utility shall disconnect from the main and abandon all gas service lines with the exception of cathodically protected or plastic gas service lines which shall be disconnected from the main and abandoned within 10 years of the meter being continuously locked or removed.

(k) All utilities shall map in their mapping system any main that is abandoned after February 1, 2005.

(l) All utilities shall maintain records of any service line that has been abandoned after February 1, 2005.

(m) All combustible gases transported or distributed by a pipeline shall have a distinctive odor of sufficient intensity so that at a concentration of one-fifth of the applicable lower explosive limit, in accordance with Table 508-1, the odor is readily perceptible to the normal or average olfactory sense of a person coming from fresh, uncontaminated air into a closed room.

(n) Whenever necessary to maintain the level of odorization intensity described in (m) above, a suitable odorant shall be added in accordance with the following specifications:

(1) The odorant shall be harmless to humans, non-toxic, and shall be non-corrosive to steel, iron, brass, and plastic or any other material used by the utility in handling gas;

(2) The odorant shall not be soluble in water to an extent greater than 2.5 parts by weight of the odorant to 100 parts by weight of water;

(3) The products of combustion from the odorant shall be non-toxic to a person breathing air containing these products of combustion and shall not be corrosive or harmful to material which normally would be exposed to such products;

(4) Equipment for introduction of the odorant into the gas shall be so designed and so built as to avoid wide variation in the level of odor in the gas;

(5) The equipment and facilities for handling the odorant shall be located where the escape of odorant would not be a nuisance; and

(6) At least 12 times per calendar year, at intervals not exceeding 45 days, each utility shall sample gas distributed at places downstream of all injection points to assure the presence of odorant in a concentration that is in accordance with Puc 506.02 (m). This testing of samples shall be conducted using equipment manufactured specifically for odorant testing, calibrated per manufacturer’s instructions and at locations equivalent to the further points from the source or system extremities of each pressure system. Each utility shall have the capability of promptly injecting odorant if the odorant levels are detected below those of Puc 506.02(m).

(o) The utility shall provide, upon the request of the commission, written verification that the pipeline has been constructed and tested in accordance with all applicable federal and state requirements. Verification documentation shall be maintained for the life of the pipeline segment constructed and tested. A recordable device shall be used for documentation.

(p) The verification required in (o~~r~~) above shall include, at a minimum, the following information:

(1) Test pressure;

(2) Duration of test;

(3) Test date;

(4) Type of test, such as hydrostatic/air;

(5) Normal and maximum operating pressure to which the pipeline will be subjected;

(6) Material type and fitting type, ~~(~~including specification,~~)~~ tested;

(7) Individual company performing test; and

(8) Location of beginning of segment tested and location of end of segment tested.

(q) The utility shall submit to the commission a supplemental verification, including figures and maps, as appropriate, whenever:

(1) Any change of 10% or more is made in the operating pressure; or

(2) Any change in location is made to the pipeline because of road relocations.

(r) Operating and maintenance procedures and emergency plans shall be documented according to a plan as follows:

(1) Each utility shall establish a written operating and maintenance plan pursuant to 49 C.F.R. §192.603 including the criteria set forth in 49 C.F.R. §192.605;

(2) Each utility shall establish a written emergency plan pursuant to 49 CFR §192.615;

(3) Each utility shall file with the commission its plans together with any subsequent amendments;

(4) Each utility shall operate, inspect and maintain its system in accordance with its plans; and

(5) Each utility shall inspect any new construction by outside contractors that is or will be incorporated into the utility's system to verify that the resulting installation meets company specifications.

(s) Each utility shall develop and maintain a written security plan outlining actions necessary to protect the utility's facilities from breeches of security or sabotage, and outlining actions to be

taken as required by Homeland Security Presidential Directive-3 and any subsequent modifications, pursuant to Public Law 107-56, October 26, 2001, as follows:

(1) The written security plan shall include preventive measures that address supervisory control and data acquisition (SCADA) systems, control centers and systems, and critical supply locations, as well as cyber security considerations.

(2) The utility shall permit the commission's safety division to review the written security plan on utility premises.

(3) The utility shall provide the commission with a confidential copy of the security plan upon request.

(t) Integrity management plans for transmission and distribution systems, public awareness plans, and operator qualification plans, shall be documented as follows:

(1) Each utility shall establish plans pursuant to 49 C.F.R. §§192.901, 192.1003, 192.616, 192.801 and Puc 506.01 (c);

(2) Each utility shall file with the commission its plans together with any subsequent amendments or revisions;

(3) Each utility shall design, construct, test, operate, inspect and maintain its system in accordance with its plans; and

(4) Integrity management plans shall address any applicable Federal Advisory Bulletins issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA) and any results of failure investigations as required by 49 C.F.R. §192.617.

(u) By July 1, 2015, all operator qualification plans shall list all covered tasks and include specific abnormal operating conditions for each task. All operator qualifications covered tasks shall be cross referenced with applicable construction standards or specifications or applicable operation and maintenance activities including emergency response.

(v) Construction quality assurance plans shall be written, followed and documented as follows:

(1) Each utility shall inspect any new construction by outside contractors that is or will be incorporated into the utility's system to verify that the resulting installation meets company specifications;

(2) A representative number of field verification audits shall be conducted after field work is completed for specific tasks;

(3) Performance audits shall be conducted to evaluate a representative sample of various tasks are evaluated during the actual time that the work is being performed by the employee or contractor;

(4) Construction inspections shall be conducted frequently enough to encompass most of the new facility installation and repairs that are done on the utility system;

(5) Detailed forms shall incorporate activity checklists prepared to cover normal work activities for evaluation or inspection of specified field work and construction;

(6) Audits of employees and crews shall be conducted by management personnel (for example, supervisors, engineers) to ensure that all personnel have reviewed the quality assurance plan and that all construction work is inspected on a regular basis; and

(7) Utilities shall take remedial action within 3 months to correct or make substantial progress toward correction of any deficiencies indicated by construction quality assurance audit and inspection findings.

(w) Each utility shall take remedial action within 3 months to correct or make substantial progress toward correction of any deficiencies indicated by monitoring of cathodically protected pipelines in accordance with 49 CFR Part 192 Subpart I.

Puc 506.03 On-site Storage.

(a) Unless separately addressed in a utility's integrated resource plan as defined in Puc 510.01(e), and approved by the commission pursuant to an adjudicatory proceeding pursuant to ~~Chapter~~ Puc 200, each utility shall determine its maximum projected design week demand based on the coldest historical consecutive 7-day period, otherwise known as the 7-day design demand, and determine the amount of firm gas supply to be furnished by natural gas pipeline deliveries and on-site storage inventory, if any, necessary to satisfy the 7-day design demand.

(b) In connection with the operation of its peak shaving facilities, each utility shall retain a minimum on-site storage inventory volume for peak-shaving between December 1 and February 14 of each year that is equivalent to the volume of on-site storage inventory deemed necessary to satisfy the 7-day design demand as determined in (a) above.

(c) Railway tank cars on the utility's rail sites shall be considered as on-site storage.

(d) A utility may count as on-site storage 70% of the guaranteed daily delivery capability over a 5 day period from a firm bulk fuel supply point or off-site storage facility for any situation in which the utility:

(1) Owns or leases tank trucks;

(2) Has a firm fuel supply purchase contract; or

(3) Has a dedicated supply and delivery service contract.

(e) As of February 15 of each year, the above minimum on-site storage inventory volume may be reduced to 75% of the December 1 requirement above.

(f) As of March 1 of each year, the above minimum on-site storage inventory volume may be reduced to 50% of the December 1 requirement above.

(g) Each utility shall notify the commission's safety division each week during the period from December 1 through April 1 of its on-site storage inventory levels.

(h) The information required by (e and d) above shall be submitted by electronic mail or through the commission's electronic report filing system (ERF) consistent with Puc 202.05 on each Tuesday, or the next day following a state holiday.

PART Puc 507 RECORDS, REPORTS AND ACCOUNTING REQUIREMENTS

Puc 507.01 Records in General. All records shall be organized, arranged or prepared to ensure that sufficient data is available to determine the status of compliance with these rules. Records pertaining to the system design or that are necessary for future evaluation of the system's safety shall be retained for the life of the facility involved.

Puc 507.02 Station Records. Each utility shall keep records of the operation of its plant to show the characteristics and performance of each unit.

Puc 507.03 Gas Supply Measurement.

(a) Each utility shall install a suitable measuring device at each source of supply in order that a record may be maintained of the quantity produced.

(b) Unless sufficient information is furnished by the utility supplying the gas, each utility purchasing gas shall maintain adequate instruments and meters to obtain complete information as to such purchases.

(c) The utility shall:

(1) Determine on a daily basis the quantity of gas supply produced or purchased and received from each source of supply; and

(2) Summarize those quantities each month.

(d) The utility shall record and transmit to the commission its 12 month totals of gas supply purchased, produced, and received as part of its annual report to the commission.

Puc 507.04 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 its active mains, and its abandoned mains if abandoned after February 1, 2005, including valves;

(b) Size and location of each of its active service lines, and its abandoned service lines if abandoned after February 1, 2005, where practicable, provided that in lieu of showing service locations on maps, a card record or other suitable means may be used; and

(c) Layout of all principal metering and regulator stations and production plants to show size, location and character of all major equipment, pipe lines, connections, valves and other equipment used.

Puc 507.05 Meter Records.

(a) Each utility shall keep numerically arranged and classified records providing the following information for each meter owned and used by the utility for any purpose:

(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 of the last test is readily ascertainable.

Puc 507.06 Preservation of Records.

(a) Each utility shall preserve all records pursuant to the requirements set forth in the "Uniform System of Accounts Prescribed for Natural Gas Companies Subject to the Provisions of the Natural Gas Act," as referred to in Puc 507.08 and adopted by the commission pursuant to RSA 374:8, except as provided in (b) and (c) below.

(b) Where the "Uniform System of Accounts Prescribed for Natural Gas Companies Subject to the Provisions of the Natural Gas Act" does not specify a requirement for preservation of a record required to be kept pursuant to Puc 500, the utility shall preserve such records for a period of not less than 2 years, except as provided in (c).

(c) If any section of this chapter requires a utility to preserve any such record for more than 2 years, utilities shall comply with the longer term requirement.

(d) A utility shall:

(1) Keep or make available within New Hampshire at the office or offices of the utility any records required under this rule; and

(2) Provide access to such records to the commission or its representative during normal business hours for examination.

Puc 507.07 Reports to Commission.

(a) The utility shall furnish to the commission the results of any required tests and summaries of any required records pursuant to RSA 374:15.

(b) The utility shall also furnish 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 file periodic reports with the commission as provided in Puc 509 on forms described in Puc 509 which shall be furnished by the commission upon request.

Puc 507.08 Uniform System of Accounts. Pursuant to RSA 374:8, each utility shall maintain its accounts in conformity with the "Uniform System of Accounts Prescribed for Natural Gas Companies Subject to the Provisions of the Natural Gas Act" promulgated by the United States Federal Energy Regulatory Commission at 18 CFR Part 201.

Puc 507.09 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 without approval by the ~~prior~~ commission for a waiver ~~approval~~ pursuant to Puc 201.05 if such short term debt exceeds 10 percent of the utility's net fixed plant.

PART Puc 508 SAFETY, ACCIDENT AND LEAKAGE REQUIREMENTS

Puc 508.01 Safety Practices.

(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 ensure that its employees have been properly trained in safe practices and are cognizant of all hazards involved.

(c) The instructions, practices and programs referred to in (a) and (b) above shall comply with the requirements of 49 CFR §192.605.

Puc 508.02 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 safety procedures for resuscitation from electrical shock.

(b) The utility shall instruct all employees engaged in work on gas mains or equipment in procedures to be followed in cases involving asphyxiation or gas poisoning.

(c) The utility shall furnish copies of the relevant safety procedures to each such employee.

Puc 508.03 Accidents.

(a) Each utility shall notify the commission of any accident, as described in Puc 504.05(a), pursuant to Puc 504.05.

(b) A utility shall submit a written report to the commission on the commission's Form E-5 "Utility Accident Report", pursuant to Puc 509.07, within 10 working days following the occurrence of any accident involving a release of gas from a pipeline, a release of LNG or LPG or a release of gas from a LNG or LPG facility in which:

(1) Any person has been killed;

(2) Any person has received an injury which requires same day professional medical treatment;

(3) Any person has received an injury which incapacitates that person from active work for a total of 6 days or more during the 10 days immediately following the accident; or

(4) Any property damage over $5,000 in amount has been caused.

(c) If any event later occurs in connection with an accident which renders an accident reportable under this section or results in an additional reportable occurrence listed in (b)(1)-(4) associated with a report previously submitted, the utility shall submit a new or updated report, as appropriate.

(d) A utility shall submit concurrently to the commission a copy of any written accident or incident report submitted to the federal government.

Puc 508.04 Leakage Surveys and Inspections.

(a) For purposes of this section, "business districts" means the principle business areas in the urban portion of a community.

(b) The presence of certain factors shall indicate the presence of a business district, as follows:

(1) The general public regularly congregates in this area for economic, industrial, religious, educational, health or recreational purposes;

(2) The majority of the buildings on either side of the street are utilized for commercial, industrial, religious, educational, health or recreational purposes;

(3) Gas facilities are under continuous paving that extends either from the center line of the thoroughfare to the building wall or from the gas main to the building wall; and

(4) Other locations or sites in the urban portion of a community which contain a similar density and/or mix of buildings and services as provided in (1) through (3) above.

(c) Each utility shall survey distribution mains in business districts on an annual basis.

(d) Each utility shall conduct a leakage survey of cast iron main lines in business districts on a repeated basis during the months when frost is in the ground, but not in conjunction with the survey referred to in (c) above.

(e) Each utility shall conduct a leakage survey of all unprotected steel services at least once during each 3 year period and of all protected steel and plastic pipe at least once during each 5 year period.

(f) Each utility shall inspect gas mains once each calendar year in locations or on structures where known physical movement or external loading could cause failure or leakage and shall patrol such locations at least 3 times each calendar year.

(g) A gas detector survey of buildings used for public assembly, including schools, churches, hospitals, theaters, municipal buildings and downtown areas shall be conducted each year during the period March 1 to December 1.

(h) In completing a gas detector survey of buildings used for public assembly, as referred to in (g) above, a utility shall:

(1) Test areas around service entrances, inside the foundation wall, at conduit or cable entrances below grade and at cracks or breaks in the foundation wall where gas seepage might enter the basement; and

(2) Test exposed piping from the service entrance to the outlet side of the meter.

(i) If, when investigating a leak, it is determined that the perimeter of a leak area extends to a building wall, the investigation shall continue into the building unless public safety or identifiable exigent circumstances prohibit entry.

(j) Once public safety or identifiable exigent circumstances no longer prohibit entry, the investigation, as provided in (i) above, shall continue into the building, if the leak has not yet been resolved.

(k) The utility shall establish a leak repair priority based on its evaluation of the location and the magnitude of a leak.

(l) The applicable lower explosive limits (LELs) shall be determined according to Table 508-1 below:

TABLE 508-1
Utility Lower Explosive Limits &
Equivalent Percent Gas/Air Ratios

% LEL	Natural Gas % gas/air ~~(1)~~	Propane % gas/air ~~(2)~~
10	0.5%	0.2%
20	1.0%	0.4%
30	1.5%	0.6%
40	2%	0.8%
60	3%	1.2%
80	4%	1.6%
100	5%	2%

~~1) Assume LEL is 5% and upper explosive limit (UEL) is 15% for Natural Gas~~

~~2) Assume LEL is 2% and UEL is 9.5% for Propane~~

(m) A utility shall assign a classification of leaks as follows:

(1) A Class I leak shall be a leak that represents an existing or probable hazard to persons or property, and requires immediate repair within 24 hours or continuous action until the conditions are no longer hazardous, consistent with the following:

a. A Class I leak shall include but not be limited to:

1. Any leak which, in the judgment of operating personnel at the scene, is regarded as an immediate hazard;

2. Escaping gas that has ignited unintentionally;

3. Any indication of gas, which has migrated into or under a building, or into a tunnel;

4. Any reading within five feet of the outside wall of a building, or where gas would likely migrate to an outside wall of a building;

5. Any reading of 40% LEL or greater in accordance with Table 508-1, in an enclosed space including but not limited to manholes, vaults, and catch basins;

6. Any leak that can be seen, heard, or felt, and which is in a location that may endanger the general public or property; and

7. Any leak in a small substructure, which shall include but not be limited to conduits, pipes, pedestals and other small enclosures, when a sustained combustible gas indicator reading of 70% LEL or greater in accordance with Table 508-1 is measured

b. In the event of a Class I ~~L~~leak, the utility shall take action immediately to eliminate the hazard and make repairs, including, as necessary, one or more of the following actions:

1. Implementation of an emergency plan;

2. Evacuation of premises;

3. Blocking off an area;

4. Rerouting traffic;

5. Elimination of sources of ignition;

6) Venting the area by removing manhole covers, barholing, installing vent holes, or other means;

7) Stopping the flow of gas by closing valves or other means; or

8) Notification to emergency responders.

(2) A Class II leak shall be a leak that is recognized as being non-hazardous at the time of detection, but requires scheduled repair within 6 months or before the end of the calendar year based on probable future hazard of any degree, evaluated as follows:

a. When evaluating Class II leaks, each operator shall consider criteria such as the following:

1. The amount and migration of gas;

2. The proximity of gas to buildings and subsurface structures;

3. The extent of pavement, including wall-to-wall paving that includes areas covered in gravel or grass; and

4. Soil type and conditions, such as frost cap, moisture, and natural venting.

b. A leak shall be considered a Class II leak when a sustained combustible gas indicator reading of 40% LEL or greater in accordance with Table 508-1~~,~~ is measured under a sidewalk in a wall-to-wall paved area that does not qualify as a Class I leak;

c. A leak shall be considered a Class II leak when a sustained combustible gas indicator reading of 100% LEL or greater in accordance with Table 508-1, is measured under a street in a wall-to-wall paved area that has significant gas migration and does not qualify as a Class I leak;

d. A leak shall be considered a Class II leak when a sustained combustible gas indicator reading of less than 70% LEL in accordance with Table 508-1 is measured, in small substructures. A small substructure shall include but not be limited to conduits, pipes, pedestals and other small enclosures;

e. A leak shall be considered a Class II leak when a sustained combustible gas indicator reading less than 40% LEL in accordance with Table 508-1 is measured in a confined space including but not limited to manholes, vaults, catch basins;

f A leak shall be considered a Class II leak when a sustained combustible gas indicator reading is measured on a pipeline operating at 30 percent specified minimum yield strength (SMYS), or greater, in a class 3 or 4 location, as defined in 49 CFR §192.5, which does not qualify as a Class I leak;

g. A leak shall be considered a Class II leak when in the judgment of operating personnel at the scene, is of sufficient magnitude to justify scheduled repair;

h. All Class II leaks shall be rechecked at intervals no greater than every 60 days during the months of April through, and including, December; and no greater than every 30-days during the months of January through, and including, March; and

i. Each utility shall take action ahead of ground freezing or other adverse changes in venting conditions with respect to any leak which, under frozen or other adverse soil conditions, would likely allow gas to migrate to the outside wall of a building.

(3) A Class III leak shall be a leak that is non-hazardous at the time of detection and can be reasonably expected to remain non-hazardous, as evaluated in accordance with the following:

a. Each utility shall survey and re-evaluate each Class III leak no less than once per calendar year, but at least one reevaluation of each Class III leak shall be performed between September 1 and December 15 each calendar year until the leak is repaired.

b. A leak shall be considered a Class III leak when a sustained combustible gas indicator reading less than 40% LEL in accordance with Table 508-1 is measured under a street or sidewalk in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building. Wall-to-wall paving shall include areas covered in gravel or grass, in accordance with Puc 508.04(m)(2);

c. A leak shall be considered a Class III leak when a sustained combustible gas indicator reading of less than 100% LEL in accordance with Table 508-1, is measured under a street in a wall-to-wall paved area that does not have significant gas migration and does not qualify as a Class II leak. Wall-to-wall paving shall include areas covered in gravel or grass, in accordance with Puc 508.04(m)(2); and

d. Any leak that does not classify as a Class I or Class II leak shall be considered a Class III leak.

(n) A utility shall conduct a follow-up inspection as follows:

(1) The adequacy of leak repairs shall be checked before backfilling;

(2) The perimeter of the leak area shall be checked with a combustible gas indicator (CGI) or equivalent gas detection equipment; and

(3) Where there is residual gas in the ground after the repair of a Class I leak, the utility shall conduct a follow-up inspection as soon as practical after allowing the soil atmosphere to vent and stabilize, but in no case later than one month following the repair.

(o) In the case of leak repairs other than Class I, the need for a follow-up inspection shall be determined by qualified personnel of the utility.

(p) Any leaks requiring reclassification as a result of these rules and any required repairs associated with those leaks shall be completed, by December 31, 2014.

(q) In any calendar year, a utility shall not reclassify from Class II to Class III more than six total leaks or 5% of all outstanding leaks in a given class, whichever is less.

(r) Any leaks identified after December 1, 2014 ~~July 1, 2013~~, shall be classified consistent with these rules.

Puc 508.05 Leakage Record-keeping and Reporting.

(a) Each utility shall maintain records and follow self-audit procedures regarding gas leaks and leakage surveys as follows:

(1) A utility shall preserve historical gas leak records in accordance with Puc 507.05(a) and Puc 507.07;

(2) In order to demonstrate the adequacy of company maintenance programs, a utility shall maintain sufficient data to provide the information needed to complete the federal Department of Transportation leak report forms as follows:

a. Form PHMSA~~RSPA~~ F 7100.1, "Incident Report - Gas Distribution System";

b. Form PHMSA~~RSPA~~ F 7100.1-1, "Annual Report For Calendar Year 20__ - Gas Distribution System";

c. Form PHMSA~~RSPA~~ F 7100.2, "Incident Report – Natural and Other Gas Transmission and Gathering Systems"; and

d. Form PHMSA~~RSPA~~ F 7100.2-1, "Annual Report For Calendar Year 20__ - Natural and Other Gas Transmission and Gathering Pipeline Systems"; and

(3) The utility shall maintain records for leaks which are reported by an outside source or require reporting to a regulatory agency.

(b) The leak records as required in (a) above shall not be required to be maintained in any specific format or retained at one location.

(c) The leak records as required in (a) above shall include the following:

(1) Date discovered, time reported, time dispatched, time investigated and by whom;

(2) Date(s) re-evaluated before repair and by whom;

(3) Date repaired, time repaired and by whom;

(4) Date(s) rechecked after repair and by whom;

(5) If a reportable leak, date and time of telephone report to regulatory authority and by whom;

(6) Location of leak;

(7) Leak classification;

(8) Line use, including distribution and transmission;

(9) Method of leak detection including name and address if reported by an outside party; and

(10) A description of any environmental impact, if applicable.

(d) A utility shall report to the commission leaks occurring in its gas distribution system as follows:

(1) Emergency notification, pursuant to Puc 504.05(a); and

(2) Report on status of leaks, pursuant to Puc 509.15.

PART Puc 509 FORMS REQUIRED TO BE FILED

Puc 509.01 F-1 – Rate of Return.

(a) Natural gas utilities shall file with the commission Form F-1 on a quarterly basis reporting the historical weather normalized rate of return for the preceding 12 months. For purposes of this part, "natural gas utility" means any utility that receives direct deliveries through a natural gas interstate pipeline.

(b) Natural gas utilities shall include on Form F-1 the following components:

(1) The name of the utility filing the report;

(2) Operating revenues for 12 months;

(3) Weather normalization;

(4) Operating expenses for 12 months, including:

a. Gas costs;

b. Other production;

c. Distribution;

d. Customer accounting;

e. Sales and new business;

f. General and administrative;

g. Federal and state income taxes;

h. Property taxes;

i. Other taxes;

j. Depreciation;

k. Amortization;

l. Operating rent; and

m. Interest on customer deposits;

(5) Rate base components for:

a. New Hampshire plant;

b. Material and supplies;

c. Cash working capital requirement;

d. Prepayments;

e. Customer deposits;

f. Accrued interest customer deposits;

g. Depreciation reserve;

h. Deferred income taxes;

i. Reimbursable contributions; and

j. Any other item properly includible in the utility's rate base.

(6) Weighted cost of capital components for:

a. Current capital structure;

b. Cost of debt; and

c. Last commission approved cost of equity.

(7) Operating utility income for 12 months;

(8) Allowed operating utility income using weighted cost of capital;

(9) Actual return on rate base;

(10) Allowed return on rate base; and

(11) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

(c) The rate of return calculation shall exclude merger push-down accounting unless such accounting treatment has explicit commission approval.

(d) Utilities shall file Form F-1 no later than 45 days from the end of each fiscal quarter.

Puc 509.02 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) The utility shall include on the form ~~shall include~~ the name of the utility filing the report.

(c) Utilities shall include on Form F-3 a breakdown of operating revenues and expenses for:

(1) Actual year ended and preceding two years;

(2) Adjustments and pro forma at present rates;

(3) Adjustments and pro forma at proposed rates with additional requirements; and

(4) Total requirements.

(d) Utilities shall include on Form F-3 a calculation of rate base and calculation of rate of return.

(e) Each utility requesting a rate increase shall also comply with the requirements of Puc 1600, tariffs and special contracts.

(f) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.03 F-4 Petition For Authority To Issue Securities.

(a) Each utility shall file with the commission a completed Form F-4, available at www.puc.nh.gov, ~~with the commission~~ when it seeks authority to issue securities;

(b) Each utility shall include with its Form F-4 petition the following:

(1) An application for leave to issue securities pursuant to RSA 369:3 ~~completed Form F-4~~, including:

a. The name of the utility filing the report;

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) 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, for example, 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, adjustments and 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; and

(10) Resolution of petitioner's stockholders, board of directors or other governing body of petitioner, as appropriate, authorizing the proposed financing.

(c) Each utility shall file a Form F-4 petition with an original and 7 copies of the petition and exhibits.

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

(e) 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."

(f) The form shall include the signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.04 F-16 Annual Report for Gas Utilities.

(a) Each utility which maintains its books on a calendar year basis shall complete the "Annual Report for Gas Utilities" F~~f~~orm F-16, revised in 9/2012 and available on the commission website at www.puc.nh.gov, and file one signed original and one electronic copy 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 complete the commission's Form F-16 ~~"~~"Annual Report for Gas Utilities"~~"~~ available on the commission website at www.puc.nh.gov, and file with the commission one signed original and one electronic copy by email or through the commission's electronic records filing system no later than 90 days following the close of each fiscal year.

Puc 509.05 F-8G Monthly Operating and Income Statements.

(a) Each utility shall twice a year file Form F-8G, which shall include an analysis of gas operating statistics of usage, sales and revenue data, with the commission within 90 days of the 6 month periods ending April 30th and October 31st and shall file revised Form F-8G monthly reports when previously submitted reports have been updated, edited or corrected.

(b) Utilities shall include on ~~f~~Form F-8G the following:

(1) A caption identifying the name of the utility filing the report;

(2) Monthly income statement showing current month, cumulative this year, same month last year and cumulative last year;

(3) A gas purchased, produced and transported report showing all natural gas purchases distinguishing gross received or net delivered, storage gas injections, storage gas withdrawals, pipeline fuel retention, if gross received purchases are used, propane air produced, vaporized LNG produced, gas received and transported for other parties or other gas supply and totals for each category;

(4) A statement of the disposition of all gas purchased, produced and transported including total gas sold, gas used by the company, accounted for losses, unaccounted for losses, gas transported by third parties for unbundled customers and total disposition;

(5) Degree day summary, identifying data source and geographic location including actual and normal, base 65 degrees Fahrenheit, effective or actual;

(6) The ~~actual~~ number of customer bills generated, by rate class, for the current month and for the same month for the previous year;

(7) Analysis of operating revenues which requires a breakdown of revenue earned showing this month, cumulative this month, same month last year and cumulative last year;

(8) Gas sold with a breakdown and comparisons to previous years for all firm and non-firm bundled sales and unbundled transportation rate classes;

(9) The date of the original report, or, if applicable, the revised report; and

(10) The signature, full name and title of the individual signing the report, and date of signature.

Puc 509.06 Form 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 the following on Form F-22:

(1) The name of the utility filing the report;

(2) Person's name, title, and e-mail address to receive annual report form;

(3) Person's name, title, and e-mail address to receive the utility assessment tax;

(4) The names and titles of the principal officers of the company; and

(5) The signature, full name and title of the utility employee who supervised the preparation of the report and date of signature.

Puc 509.07 E-5 Utility Accident Report.

(a) Each utility shall file the commission's Form E-5 "Utility Accident Report" within 10 working days of when a utility accident, as described in Puc 508.03(b), occurs, and as required in Puc 508.03(c).

(b) Each utility shall include the following on Form E-5:

(1) The current, date and name and address of utility;

(2) Date, time of discovery, and location of accident;

(3) Description of any person injured including:

a. Name;

b. Age;

c. Residence;

d. Employer; and

e. Status of any 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 and previous related accident report number;

(7) Designation of federal or state statute violated, if applicable;

(8) Estimated amount of property damage and breakdown of property damage amounts;

(9) Method of discovery of the accident;

(10) Estimated amount of gas released measured in terms of 1,000 cubic feet (mcf) and value of gas released, including calculations;

(11) Time operator or contractor acting on behalf of operator arrived on scene;

(12) Time operator made pipeline safe;

(13) Date and time final restoration and return to gas service was completed;

(14) Quantity of people evacuated and quantity of meters shut off or service interrupted;

(15) Description of the pipeline facility involved (age, material type, diameter, location, classification, above ground, below ground, depth, pressure at time of accident, map of pipeline);

(16) Date and time of notification to the National Response Center, if required;

(17) Recommendation for and steps taken to guard against repetition of accident; and

(18) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.08 E-6 Heating Value and Purity Report.

(a) Each utility shall file with the commission a completed Form E-6 monthly.

(b) Utilities shall include on Form E-6:

(1) The name of the utility filing the report;

(2) The month average in British thermal units (BTUs) with a breakdown for each day of the month of the time, showing derivation based on location of each measurement, BTU measurement and associated volume, and, where applicable, days when peak shaving equipment is used;

(3) BTUs per cubic foot;

(4) Measurements for hydrogen sulphide and sulphur, if applicable;

(5) General remarks; and

(6) The signature, full name and title of the employee who supervised the preparation of the report, and date of signature.

Puc 509.09 E-7 Annual Report of Gas Meter Tests.

(a) Each utility shall file Form E-7, "Annual Report of Gas Meter Tests," annually by March 15 with the commission.

(b) Utilities shall include the following on Form E-7:

(1) The name of company and year represented by the report;

(2) The number of meters tested categorized according to meter class, in accordance with Table 505-1;

(3) The total meters in service per category at end of year and total meters per category tested during year;

(4) Accuracy rate per group tested, required accuracy in accordance with Table 505.2 and quantity of meters to be tested per category for the following year;

(5) The total meters in service at end of year and total meters tested during year; and

(6) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.10 E-8 Report of Pressure Complaints.

(a) Each utility shall file a monthly report of pressure complaints on Form E-8 with the commission.

(b) Utilities shall include the following on Form E-8:

(1) The name of the utility filing the report;

(2) The name of each complainant and location which gave rise to the complaint;

(3) The date the utility conducted a meter test;

(4) The average pressure of the tested meter;

(5) The pressure recorded in inches of water column showing minimum with time of day and maximum with time of day;

(6) The total minutes pressure was below allowable minimum and above allowable maximum; and

(7) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.11 E-22 Report of Proposed Expenditures for Additions, Extensions and Capital Improvements to Fixed Capital.

(a) Each utility shall file an annual report of proposed expenditures for addition, extensions and capital improvements to fixed capital on or before May 15 of each year.

(b) The report shall include The name of the utility filing the report.

(c) With respect to any proposed, main, or service capital addition, extension or improvement, utilities shall report on Form E-22 the following:

(1) A description of size, length and material of the main or service**;**

(2) The location of the proposed capital addition, extension or improvement;

(3) The total estimated cost of the proposed capital addition, extension or improvement by work category; and

(4) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

(d) 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 (e~~f~~) 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.

(e) The commission shall notify a utility when it identifies prudence review issues, which it would raise as part of a rate case, in connection with notice of a proposed expenditure under this section.

Puc 509.12 E-23 Report of Interruptions of Service.

(a) Each utility shall file with the commission a report of any interruption of service within one month of the occurrence of such interruption.

(b) Each utility shall use Form E-23 in reporting service interruptions and shall include the following information on the report:

(1) The name of the utility filing the report;

(2) The dates of service interruption;

(3) The time of service interruption including start, end and total elapsed time;

(4) The location of service interruption;

(5) The number of customers affected by service interruption;

(6) The cause of interruption; and

(7) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.13 E-24 Report of Gas Meter Complaint Tests.

(a) Each utility shall file monthly with the commission Form E-24 “Report of Gas Meter Complaint Tests".

(b) Form E-24 shall include the following:

(1) The name of the utility filing the report;

(2) The name and address of the customer making the complaint;

(3) The meter manufacturer; manufacturer's number, company number; type and size;

(4) The percent registration which are fast or slow;

(5) The period of refund or collection; and

(6) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.14 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) A utility shall include on Form E-25:

(1) The name of the utility filing the report;

(2) The date;

(3) The account number and title;

(4) The estimated whole life, reported as the number of years from initial installation to final retirement, both present and proposed;

(5) The net salvage, both present and proposed, by percentage;

(6) The depreciation rate, both present and proposed, by percentage;

(7) The net annual change in dollars;

(8) The theoretical reserve calculated as the difference between the calculated accumulated depreciation determined using the proposed depreciation rates and the accumulated depreciation;

(9) The proposed amortization of the theoretical reserve;

(10) The reasons for changes in depreciation rates and length of the proposed amortization of the theoretical reserve; and

(11) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

(c) A utility shall not implement any change in depreciation rates until the proposed change has been approved by the commission.

Puc 509.15 Status of Leaks.

(a) Each utility shall submit to the commission a monthly leak report.

(b) Each utility shall provide on the monthly leak report a description of the status of any leak in its system classified by type of leak, as Class I, II or III.

(c) The report shall include a caption identifying the report as "Monthly Leak Report" along with the name of the company filing the report.

(d) A utility shall identify and describe the status of leaks as follows:

(1) As of the beginning of each month;

(2) Those reported during the month;

(3) Those repaired during the month; and

(4) Those reported and awaiting repair at the end of the month.

(e) Additionally, for those leaks reported during the month, the utility shall provide:

(1) The leak address;

(2) The date leak was reported;

(3) The identification number of the leak;

(4) The leak area, whether rural, residential, or urban;

(5) The classification of the leak;

(6) Method of how the company became aware of leak ~~(for example~~, such as through the public, an employee, or winter patrol~~)~~;

(7) Type of cover over leak, such as asphalt or concrete;

(8) The pipeline facility, such as main or service~~)~~;

(9) The operating pressure, whether low, intermediate, or high; and

(10) The most likely material(s) involved in any suspected Class III leaks.

(f) For those leaks repaired pursuant to Puc 509.15(d)(3), the cause of the leak shall be reported in a consistent classification as identified according to 49 CFR §191.11 and leaks classified as "other" shall be clearly explained.

(g) The report shall include the signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.16 Annual Peak Shaving Fuel Storage Capability Report.

(a) Each utility with either LNG vaporization, propane air vaporization and mixing, or both, used as primary or supplemental on-system gas supply and fuel storage in its New Hampshire gas distribution operations shall file electronically with the commission by e-mail or through the commission's electronic records filing system once annually a peak shaving fuel storage capability report.

(b) This report shall be submitted by October 1st of each year and shall include projected design-week sendout, production capabilities and storage requirements of utility gas operations, including the following:

(1) A caption identifying the report as the "Annual Peak Shaving Fuel Storage Capability Report" along with the name of the utility filing the report;

(2) Projected design week demand determined using verifiable total degree day data collected from an identified New Hampshire location for the seven coldest consecutive days in the past 30 years of historical degree day data;

(3) Amount to be furnished by natural gas pipeline;

(4) Balance from peak shaving;

(5) Equivalent gallons LNG or LPG needed to satisfy requirements of (4) above;

(6) Total storage facilities committed, in gallons, to service on December 1 of the current year to LPG and LNG, which shall be categorized as follows:

a. Permanent;

b. Railroad tank cars;

c. Truck tankers;

d. Other storage, specifying type; and

e. Total storage;

(7) Whether the facility meets storage requirements;

(8) Comments relative to suppliers' delivery capabilities during the upcoming winter period;

(9) A statement that the utility shall immediately advise the commission of any unexpected circumstances which may arise surrounding its peak shaving capabilities; and

(10) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.17 Weekly Gas Storage Report.

(a) Each utility shall submit to the commission safety division weekly reports on gas storage level during the period December 1 through April 1 on Tuesday of each week, or the day following if Tuesday is a state holiday, before 4:00 p.m.

(b) The utility may by telephonic facsimile or e-mail report information on storage levels.

(c) The report shall include a caption identifying the report as "Weekly Gas Storage Report" along with the name of the utility filing the report and the full name and title of the utility employee who supervised the preparation of the report.

Puc 509.18 Weekly Portable LNG Vaporizer Activity Report.

(a) Each utility shall submit to the commission's safety division weekly reports on portable LNG vaporizer utilization when a portable LNG vaporizer is connected to the gas utility distribution system.

(b) The report shall be filed on Tuesday of each week before 4:00 p.m., or the day after if Tuesday is a state or federal holiday.

(c) The report shall contain the following information:

(1) A caption identifying the report as "Weekly Portable LNG Vaporizer Activity Report" along with the name of the utility filing the report;

(2) The date of the report;

(3) The location and maximum rated output of the portable vaporizer;

(4) The reason for connecting the portable vaporizer;

(5) The daily volume injected from the portable vaporizer; and

(6) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.19 Summary of Peak Day Report.

(a) Each utility shall file a report annually on April 1st summarizing the previous winter period peak day operating statistics.

(b) Quantities of gas shall be reported as measured in therms.

(c) The report shall contain the following information:

(1) A caption identifying the report as "Summary of Peak Day Report" along with tThe name of the utility filing the report;

(2) The gas demand for firm sales, interruptible sales, firm transportation, interruptible transportation and any other sendout;

(3) The gas demand for non-daily metered interruptible transportation rate classes based on an estimate of the daily supply nomination requirements, or best estimate;

(4) The gas supply of purchased pipeline natural gas, underground storage gas, propane air production gas, LNG produced gas, third party gas transported for unbundled transportation customers, and any other gas supply used to meet peak day demand;

(5) The actual or effective base 65 degrees Fahrenheit degree day total measured on that day including the source, geographic location;

(6) The date and day of the week of the peak day occurrence;

(7) A statement as to whether the peak day sendout was a new record for the utility; and

(8) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.20 Forecast of Upcoming Winter Period Design Day Report.

(a) Each utility shall file annually with the commission on September 15 a copy of a report summarizing the upcoming winter period design day forecast of operating statistics by e-mail or through the commission's electronic records filing system.

(b) Quantities of gas shall be reported as measured in therms.

(c) The report shall include the following information:

(1) A caption identifying the report as "Forecast of Upcoming Winter Period" along with tThe name of the utility filing the report;

(2) The demand for firm sales, interruptible sales, firm transportation, interruptible transportation and any other sendout demand;

(3) The supply of purchased pipeline natural gas, underground storage gas, propane air production gas, LNG produced gas, third party gas transported for unbundled transportation customers, and any other gas supply available to meet design day demand;

(4) The base 65 degrees Fahrenheit degree day estimate total used in the forecast design day;

(5) A brief explanation of forecast tools, models and assumptions used in determining design day send out requirements; and

(6) The signature, full name and title of the utility employee who supervised the preparation of the report, and date of signature.

Puc 509.21 Federal Reports Filed with Commission. The owner or operator of a natural gas pipeline facility regulated by the Federal Energy Regulatory Commission pursuant to the Natural Gas Act, 15 U.S.C. § 717, et seq., shall, with respect to any such pipeline facility located or to be located in New Hampshire, file with the commission:

(a) Annually, on or before April 30 of each year, a copy of the signed original of the Federal Energy Regulatory Commission annual report form, Fform No. number 2, pertaining to such facility; and

(b) Concurrently upon its filing with the Federal Energy Regulatory Commission, a copy of any application for a certification of public convenience and necessity under the Natural Gas Act, 15 U.S.C. § 717f(c), with respect to any pipeline facility of such owner or operator proposed to be located in New Hampshire.

Puc 509.22 Monthly Customer Migration Report.

(a) Each utility offering unbundled transportation service shall file electronically with the commission a monthly report after the final accounting is available that provides in a PDF file format a rolling 12 months of the most recent available transportation customer data, including the following:

(1) A caption identifying the report as “Monthly Customer Migration Report” along with tThe name of the utility filing the report;

(2) The month and year of the report, which will coincide with the most recent month of actual data included in the report;

(3) The actual number of customer bills per month sorted by rate class, for capacity assigned and also for capacity exempt customer subgroups;

(4) The actual number of therms billed per month, sorted by rate class, for capacity assigned and also for capacity exempt customer subgroups; and

(6) A table identifying each competitive natural gas supplier and the number of customers served by each.

(b) The master file for this report shall retain all months of historical customer migration data, be maintained in a spreadsheet file format, and be made available to commission staff upon request.

PART Puc 510 UTILITY ADVERTISING

Puc 510.01 Definitions.

(a) "Advertising" means the use by a utility of any media in order to transmit a message to the general public, or to such utility's consumers.

(b) "Controversial issue of public importance" means a case or controversy in which a utility is involved before a court, legislative body, or government agency, including the commission.

(c) "Institutional activity" means any act or practice conducted for the purpose of promoting the corporate image or goodwill of a particular utility or the utility industry in general.

(d) "Institutional advertising" means any advertising conducted for the purpose of promoting the corporate image or goodwill of a particular utility or the utility industry in general.

(e) "Integrated resource plan (IRP)" means, in the case of a utility, planning by the use of any standard, regulation, practice or policy to undertake a systematic comparison between demand-side management measures and the supply of gas by a utility to minimize life-cycle costs of adequate and reliable utility services to gas customers.

(f) "Political activity" means any act or practice conducted for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters or with respect to any controversial issue of public importance.

(g) "Political advertising" means any advertising conducted for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters, or with respect to any controversial issue of public importance.

(h) "Promotional activity" means any act or practice conducted for the purpose of encouraging any person to select or use a service or increase usage of the service of a utility, to select, purchase, install or use any appliance or equipment designed to use such utility's service, or to use any other particular service of the utility.

(i) "Promotional advertising" means any advertising conducted for the purpose of encouraging any person to select or use a service or increase usage of the service of a utility, to select, purchase, install, or use any appliance or equipment designed to use such utility's service or to use any other particular service of the utility.

Puc 510.02 Recovery of Certain Expenses Prohibited. No utility shall recover, in any manner, from any person other than the shareholders or other owners of such utility any direct or indirect expenditure by such utility for promotional, political or institutional advertising, or promotional, political or institutional activities except as provided in Puc 510.03.

Puc 510.03 Exempted Expenditures.

(a) For the purpose of Puc 510 the terms political advertising, promotional advertising, institutional advertising, political activity, promotional activity, and institutional activity shall not include advertising or activities which:

(1) Inform gas consumers of or provide gas consumers with information or materials intended to result in economic conservation;

(2) Are required by law or regulation, including advertising required under part 1 of title II of the National Energy Conservation Policy Act;

(3) Inform natural gas customers how they can improve efficiency in utilizing the utility's service;

(4) Involve or relate to service interruptions, safety measures or emergency conditions;

(5) Concern employment opportunities with such utility;

(6) Provide any explanation of existing or proposed rate schedules or notifications of hearings thereon;

(7) Are consistent with the utility's approved integrated resource plan; and

(8) Inform customers of the availability and sources of financial assistance.

(b) Expenditures referred to in subparagraph (a)(1) above shall be subject to review and potential recovery as part of the utility's conservation and load management program.

(c) Expenses contained in a utility's IRP shall take into account necessary features for system operation such as diversity, reliability, ability to be readily dispatched, and other factors of risk and shall treat demand and supply to gas consumers on a consistent and integrated basis.

(d) No more than 50% of costs provided for in a utility's IRP shall be borne by ratepayers.

Puc 510.04 Continuing Jurisdiction. Puc 510 shall not restrict or limit the commission's power to disallow any expense as a charge to ratepayers which the commission finds to be unjust, unreasonable, excessive, unwarranted or imprudent pursuant to RSA 378.

Puc 510.05 Reports Required.

(a) Each utility shall file an annual report with the commission regarding the advertising or activities described in Puc 510.02.

(b) This report shall itemize the expenses incurred by type of advertising and activity and shall specifically delineate those expenditures for which cost recovery is sought.

(c) The report shall be included with the utility's annual report to the commission filed in accordance with Puc 509.04.

(d) Each utility shall keep copies of all its advertising on file for inspection by the commission.

Puc 510.06 Accounting.

(a) If a utility combines an expense prohibited from recovery with an expense eligible for recovery, and ancillary costs are associated with the combined expense, the utility shall allocate a portion of the ancillary cost to the expense prohibited from recovery and shall be prohibited from recovering costs ancillary to the prohibited expense.

(b) Each utility shall keep a record with respect to any advertising or activity, incurred directly or indirectly, prohibited from recovery pursuant to Puc 510.02, of:

(1) Any expenditure incurred; and

(2) Any allocation methodology.

PART Puc 511 ENFORCEMENT PROCEDURES FOR GAS PIPELINE UTILITIES

Puc 511.01 Jurisdiction Scope and Application of Authority.

(a) Pursuant to RSA 370:2 the commission shall enforce safety standards and practices for utilities, referred to in Puc 506.01, consistent with the Natural Gas Pipeline Safety Act which is set forth at 49 U.S.C. § 60101, et seq.

(b) In enforcing safety standards and practices the commission shall consider:

(1) Pipeline safety data;

(2) The appropriateness and reasonableness of a safety standard applied to a particular incident or circumstances; and

(3) Other relevant information regarding the particular circumstances of an incident.

(c) The commission in exercising and implementing its inspection and enforcement authority pursuant to Puc 511 shall act by and through the commission's safety division.

(d) Pursuant to RSAs 365:8 and 370:2, and consistent with the Natural Gas Pipeline Safety Act, the commission shall:

(1) Investigate all methods and practices of utilities relating to pipeline safety;

(2) Require the maintenance and filing of reports, records and other information relating to pipeline safety in such form and detail as the commission shall prescribe;

(3) Enter at all reasonable times to inspect the property, building, plants and offices of utilities to investigate and determine compliance with pipeline safety requirements; and

(4) Inspect all books, records, papers and documents relevant to the pipeline safety.

(e) Each utility shall cooperate fully with the commission and its staff in its investigations and inspections pursuant to Puc 511, including maintaining and providing all relevant information and data and providing such access as the commission shall require.

Puc 511.02 Intervals of Inspection.

(a) Each utility shall allow the commission staff, upon presentation of identifying credentials, to enter upon, inspect, and examine the records and properties of persons to the extent such records and properties are relevant to determining the compliance of such persons with commission rules or orders.

(b) Each utility shall permit the commission to conduct inspections in response to or related to any of the following:

(1) Routine scheduling;

(2) A complaint received from a member of the public or any party;

(3) Information obtained from a previous inspection;

(4) Pipeline accident or incident; and ~~.~~

(5) Compliance with Puc 500.

(c) The commission shall schedule and conduct inspections if:

(1) Results obtained in an initial inspection show a defect, irregularity or non-compliance which establishes the need for a subsequent or follow-up inspection; or

(2) The commission determines that additional inspections are required to provide sufficient information to allow it to determine utility compliance with commission rules and orders.

Puc 511.03 Inspection of Utilities.

(a) Inspections conducted pursuant to Puc 511.02 shall include a thorough review of the utility's records concerning inspection, operation, maintenance, and emergency procedures.

(b) Field inspections combined with office inspections shall cover:

(1) Operational checks of corrosion control provisions;

(2) Overpressure and regulating equipment;

(3) Odorization;

(4) Repaired leaks;

(5) Emergency valves;

(6) New construction;

(7) Maintenance of facilities;

(8) Selection of material and design of components;

(9) Qualifications and training of personnel;

(10) Public awareness programs, emergency response programs, quality assurance programs, underground damage prevention programs, and integrity management programs for transmission and distribution pipeline facilities;

(12) Control room management; and

(13) Any other components of the facility.

Puc 511.04 Verbal Notice to Utility of Probable Violation.

(a) When an evaluation of a utility's records and facilities indicates that the utility is apparently not in compliance with a pipeline safety regulation, the commission investigator shall informally discuss the probable violation or noncompliance with the utility before concluding his inspection.

(b) In situations where an inspection is performed without utility personnel on site, probable violations or potential non-compliance of Puc 500 shall be communicated to the utility upon completion of the inspection.

(c) The utility shall provide any documentation or physical evidence related to the alleged non-compliance which the commission representative shall request during the inspection or by letter.

(d) The utility may notify the commission staff and undertake on-site corrective action of the facility where the probable violation exists thus correcting any identified deficiency.

Puc 511.05 Written Formal Notice of Probable Violation.

(a) After the commission staff receives evidence of a possible violation, the commission shall issue a written notice of probable violation (NOPV) to the party alleged to have committed the violation.

(b) The commission staff shall send information regarding the NOPV by certified mail to the party alleged to have committed the violation.

(c) The NOPV shall include the following:

(1) A description of the probable violation and reference to the rule or statute regarded as violated;

(2) The date and location of the probable violation;

(3) A statement notifying the party or parties involved that civil penalties might be imposed pursuant to RSA 374:7-a, in the event of unfavorable judgment;

(4) The amount of the civil penalty;

(5) A description of factors relied upon by commission staff in making its determination, such as the size of the business of the utility, gravity of the violation, history of prior violations, degree of culpability of the respondent, how quickly the respondent took action to rectify the situation, cooperativeness of respondent, history of prior violations, effect of penalty on the utility, and any other identifiable factors which would tend to either aggravate or mitigate the violation;

(6) Statutory rights of the respondent as enumerated in RSA 374:7-a; and

(7) Procedures for resolving the complaint.

(d) The operator shall respond in writing to the commission within 30 days of its receipt of the violation notice referred to in (a) above.

Puc 511.06 Responses to Notice of Probable Violation.

(a) Upon receipt of the NOPV the respondent shall either:

(1) Submit to the commission within 30 days, in writing, evidence refuting the probable violation referenced in the NOPV;

(2) Submit to the commission within 30 days, a written plan of action outlining action the respondent will take to correct the violations, including a schedule and the date when compliance is anticipated;

(3) Execute a consent agreement with the commission resolving the probable violation and remit the civil penalty; or

(4) Request in writing within 30 days, an informal conference with the commission staff to examine the basis of the probable violation.

(b) Any utility involved in the NOPV shall provide a representative for any informal conference or hearing scheduled relative to that NOPV.

Puc 511.07 Informal Conferences.

(a) After receiving the request for the informal conference, the commission staff shall:

(1) Arrange a date, time, and location for the informal conference; and

(2) Notify the respondent by certified mail of the date, time, and location of said informal conference.

(b) At the informal conference, the commission staff shall review the basis for the violation(s). The utility may explain its position and may present alternatives for solution of the problem.

(c) If the utility and the commission staff cannot by agreement resolve the violation at this stage, the enforcement procedure shall continue as described in Puc 511.08.

Puc 511.08 Notice of Violation.

(a) If the commission staff, after reviewing evidence and testimony obtained in writing or in conferences, determines that a violation of RSA 370:2, RSA 362:4-b, or Puc 500 has occurred, the commission staff shall issue a notice of violation (NOV) to the respondent.

(b) The NOV so issued shall include:

(1) The factual and statutory basis for the unfavorable preliminary determination;

(2) A description of factors relied upon by commission staff in making its determination, such as the size of the business of the utility, gravity of the violation, history of prior violations, degree of culpability of the respondent, how quickly the respondent took action to rectify the situation, cooperativeness of respondent, history of prior violations, effect of penalty on the utility, and any other identifiable factors which would tend to either aggravate or mitigate the violation;

(3) The civil penalty, if any, proposed to be imposed;

(4) Procedures for remitting penalty; and

(5) Statutory rights of the respondent as enumerated in RSA 374:7-a.

Puc 511.09 Response to Notice of Violation. Within 10 days from receipt of the NOV, the respondent shall either:

(a) Sign a consent agreement and remit the civil penalty; or

(b) File a request in writing for a hearing before the commission.

Puc 511.10 Commission Action.

(a) The commission shall act upon staff's recommendation unless the respondent requests a hearing pursuant to Puc 511.09.

(b) Hearing requests pursuant to Puc 511.09 shall be treated as a request for an adjudicatory proceeding.

(c) Upon a hearing request pursuant to Puc 511.09, the commission shall provide the respondent with notice and an opportunity for a hearing, held pursuant to Puc 200.

PART Puc 512 LP AND LANDFILL GAS PIPELINE SAFETY STANDARDS

Puc 512.01 Compliance with Federal Standards Required.

(a) All LPG operators and landfill gas operators shall comply with those pipeline safety regulations established by the United States Department of Transportation as set forth in 49 CFR Parts 191 and 192.

(b) All LPG operators shall comply with the LP Gas Code (NFPA 58) as referenced by 49 CFR §192.7.

(c) LPG operators shall employ the guidelines contained in the *Training Guide for Operators of Small LP Gas Systems*, written by the United States Department of Transportation and the National Association of Regulatory Utility Commissioners, printed April 2001.

Puc 512.02 Compliance with Other Standards.

(a) LPG operators shall comply with the edition of the NFPA 54, the National Fuel Gas Code, as referenced in New Hampshire Code Administrative Rules Saf-C 600~~09.01~~.

(b) Nothing in these rules shall prohibit or limit the New Hampshire department of safety adopting ~~s~~ a different edition of NFPA 58, the LP Gas Code.

Puc 512.03 E-27-A Jurisdictional LP Gas Facilities Report.

(a) Each LPG operator shall submit the commission's Form E-27-A "~~"~~Jurisdictional LP Gas Facilities Report~~"~~" to the safety division of the commission within 30 days after notice of all newly installed, acquired, transferred or discontinued jurisdictional system.

(b) The completed form shall include the following:

(1) Name of the LPG operator and contact person, with telephone number;

(2) Date of installation, acquisition or transfer of facilities;

(3) Size of tank;

(4) Location of the facilities, including street name and number, city or town, and locus map; and

(5) Number of meters and customers; and

(6) Supervisor's name and signature, with date of signature.

(c) If a LPG operator is providing LPG to a facility that such operator believes to match the criteria of a jurisdictional system, such operator shall notify the owner of the facility and the safety division of the existence of said facility.

Puc 512.04 Confidential Records. Consistent with RSA 91-A:5, the commission shall not release to the public reports filed pursuant to Puc 512.03.

Puc 512.05 Emergency Notification.

(a) The LPG operator ~~and/~~or landfill gas operator shall notify the safety division of the commission by telephone when any of the following occur:

(1) A release of gas from a LPG system, landfill gas system that results in:

a. A death;

b. Personal injury necessitating same day professional medical treatment; or

c. Estimated property damage of $5,000 or more;

(2) A fire or an explosion at, or emergency shutdown of, an LPG system, landfill gas system or facility.

(3) An evacuation of a building conducted by a fire department, LPG operator, or landfill gas operator or other emergency personnel because of the presence of gas in the atmosphere or in the immediate vicinity of the building;

(4) An unplanned service interruption or gas outage that is expected to result in 50 or more customer outage hours;

(5) A single unplanned outage occurring at a state, federal, or municipal facility, hospital, school or other facility in which the public could be affected;

(6) A breach of security or other threat that jeopardizes the operation of a jurisdictional facility of aggregate capacity greater than 6,000 gallons; or

(7) An event which is significant in the judgment of the LPG operator or landfill gas operator even though it is not described above.

(b) A LPG operator or landfill gas operator shall not be required to determine or document the presence or involvement of gas in any incident or event before notifying the commission.

(c) The telephone notification shall be made promptly, but no more than one hour following discovery of the incident by the LPG operator or landfill gas operator.

(d) The LPG operator or landfill gas operator shall provide to the commission representative who responds to the call the following information:

(1) Identity of reporting LPG operator or landfill gas operator;

(2) Name, title, and location of the person reporting the incident;

(3) Location of the incident including street, address and city or town;

(4) Number of known or estimated fatalities and personal injuries, if any;

(5) Type and extent of known or estimated property damage;

(6) Description of the incident or event including any significant facts known by the LPG operator and/or landfill gas operator that relate to the cause and resolution of the problem;

(7) Date and hour the incident occurred and was discovered by the LPG operator ~~and/~~or landfill gas operator and, to the extent known, by any other party;

(8) For a service interruption, gas outage, or evacuation of a building, the estimated or known number of people and customers affected and the estimated or actual duration of the outage; and

(9) When the Office of Pipeline Safety of the United States Department of Transportation was, or will be, notified of the incident, if applicable.

Puc 512.06 Incident Reporting.

(a) In addition to the emergency notification required in Puc 512.05, LPG operators and landfill gas operators shall report in writing to the commission any event occurring in connection with its facilities and services, as follows:

(1) A LPG operator or landfill gas operator shall report to the commission within 20 business days following discovery any incident which the LPG operator and/or landfill gas operator shall be required to report to the federal Office of Pipeline Safety pursuant to 49 CFR. §191.9 on federal Department of Transportation form PHMSA~~RSPA~~ F 7100:1, "Incident Report-Gas Distribution System", a copy of which shall be submitted to the commission;

(2) Each LPG operator and landfill gas operator shall report twice annually on the status of any ongoing leaks occurring in its gas distribution systems; and

(3) A LPG operator or landfill gas operator shall report to the commission any accident involving injury to a person or damage to property as provided in Puc 512.07 (b).

(b) A LPG operator or landfill gas operator shall file any report required pursuant to (a)(1) above in addition to any report required pursuant to (a)(2) or (a)(3) above.

(c) When additional relevant information is obtained after a report under this section is submitted, the LPG operator or landfill gas operator shall make a supplementary report to the commission conveying this information.

Puc 512.07 Accidents.

(a) Each LPG operator and landfill gas operator shall notify the commission of any accident, as described in Puc 512.05(a)(1), pursuant to Puc 512.04.

(b) Each LPG operator and landfill gas operator, as applicable, shall submit a written report to the commission on the commission's Form E-5 "Utility Accident Report", within 10 working days following the occurrence of any accident involving a release of LP gas or landfill gas from a pipeline or facility in which:

(1) A death has occurred;

(2) Any personal injury which requires same day professional medical treatment;

(3) Any person receiving an injury which incapacitates that person from active work for a total of 6 days or more during the 10 days immediately following the accident; or

(4) Any property damage over $5,000.

(c) If any event later occurs in connection with an accident which renders an accident reportable under this section or results in an additional reportable event under (b)(1)-(4) above associated with a report previously submitted, such operator shall submit a new or updated report, as appropriate.

Puc 512.08 Construction and Maintenance.

(a) Except as established herein or by municipal regulations within their jurisdiction which are more stringent than the state or federal requirement, each LPG operator shall construct, inspect, install, operate and maintain its systems, equipment and gas pipe lines in accordance with all applicable federal and state requirements, including but not limited to the requirements of the 49 CFR Part 192, and NFPA 58 LP-Gas Code, subject to Puc 512.01(b).

(b) Except as established herein or by applicable municipal regulations that are more stringent than the state or federal requirement, each landfill gas operator shall construct, inspect, install, operate and maintain its systems, equipment and gas pipe lines in accordance with all applicable federal and state requirements, including but not limited to the requirements of the 49 CFR Part 192.

(c) Pipelines shall be laid at least 12 inches away from any other underground structure, or, if this clearance cannot be attained, the pipeline shall be protected from damage that might result from the proximity of the other structure.

(d) For LPG operators, operating pressures within a building will be limited to the requirements in NFPA 54 National Fuel Gas Code incorporated by Puc 512.02(a).

(e) Operating and maintenance procedures shall be documented according to a plan as follows:

(1) Each LPG operator and landfill gas operator shall establish a written operating and maintenance plan pursuant to 49 CFR §192.603 which shall include the criteria set forth in 49 CFR §192.605;

(2) Each LPG operator and landfill gas operator shall file with the commission its plan together with any subsequent amendments to the plan;

(3) Each LPG operator and landfill gas operator shall operate, inspect, maintain and construct its system in accordance with its plan; and

(4) Each LPG operator and landfill gas operator shall inspect new construction.

(f) All combustible gases transported or distributed by a pipeline shall have a distinctive odor of sufficient intensity so that at a concentration in air of one-fifth of the lower explosive limit, the odor is readily perceptible to the normal or average olfactory sense of a person coming from fresh, uncontaminated air into a closed room.

(g) By July 1, 2014, each LPG operator shall test for odorant levels in accordance with (f) above at least quarterly each calendar year, with intervals not exceeding 3 and a half months at the operator bulk plants that supply LPG to a LPG jurisdictional systems. These tests shall be performed with an odorometer or equivalent device capable of determining the percentage of gas in air at which the odor becomes readily detectable by the tester in accordance with 49 CFR §192.625. Records shall be preserved documenting each delivery from the operator bulk plant to a LPG jurisdictional system for a period of not less than 2 years.

(h) Sniff tests to determine that odorant is present shall be performed at each LPG jurisdictional system at least once annually and whenever maintenance is performed on the system.

(i) Each landfill gas operator shall test for odorant levels in accordance with (f) above at least quarterly each calendar year, with intervals not exceeding 3 and a half months at the furthest end point of the system that can be readily accessible. These tests will be performed with an odorometer or equivalent device capable of determining the percentage of gas in air at which the odor becomes readily detectable by the tester.

Puc 512.0910 Underground Utility Damage Prevention Program. All LPG operators and landfill gas operators shall comply with Puc 800.

Puc 512.10~~1~~ Marking of Containers.

(a) All LPG operator owned containers, above ground or underground, installed at consumer locations shall be marked in a legible manner with the name and telephone number of the owner by decal, tag, stencil, or similar marking.

(b) Containers gained through acquisition shall be marked as soon as possible, but no later than 30 days after acquisition.

Puc 512.11~~2~~ System Maps. Each LPG operator and landfill gas operator shall have on file at its principal office a map(s) or drawings showing:

(a) The size, character, and location of pipeline facilities, including valves, installed after February 1, 2005; and

(b) The size and location of each service line provided that, in lieu of showing service locations on maps, a card record or other suitable means may be used.

Puc 512.12~~3~~ Procedure for Reporting Emergencies.

(a) As used in this section, "regular working hours" means Monday through Friday, 8 a.m. to 5 p.m. except holidays.

(b) Each LPG operator and landfill gas operator of a system shall furnish to each customer of a system a written explanation of the procedure to be used to report gas leaks and other related emergencies including:

(1) A telephone number at which the operator can be contacted during regular working hours;

(2) A telephone number for reporting emergencies during nonworking hours; and

(3) The telephone numbers of emergency response agencies, including, without limitation, the local police and fire departments.

(c) The procedure shall be updated and reissued as often as is necessary, but at least once each calendar year.

Puc 512.13~~4~~ Preservation of Records.

(a) All records required by these rules shall be preserved by the LPG operator and/or landfill gas operator.

(b) The LPG operator or landfill gas operator shall make such records available to the commission or its staff upon request at the LPG operator’s office.

(c) All system records required by these rules shall be transferred to the new LPG operator upon the change in the gas supplier.

(d) Upon acquisition of, termination of service by, or conveyance of records to any new LPG operator or person, the relinquishing operator shall, prior to any conveyance or records, copy and retain in a legible paper format, in addition to any electronic format or formats the operator chooses to utilize, any and all records pertaining to the location for a 7-year period from the date of transfer.

Puc 512.14~~5~~ Leakage Surveys and Inspections.

(a) For purposes of this section, "business districts" means the principle business areas in the urban portion of a community.

(b) The presence of certain factors shall indicate the presence of a business district, as follows:

(1) The general public regularly congregates in this area for economic, industrial, religious, educational, health or recreational purposes;

(2) The majority of the buildings on either side of the street are utilized for commercial, industrial, religious, educational, health or recreational purposes;

(3) Gas facilities are under continuous paving that extends either from the center line of the thoroughfare to the building wall or from the storage tank to the building wall; or

(4) Other locations or sites in the urban portion of a community which contain a similar density and/or mix of buildings and services as provided in (1) through (3) above.

(c) Each LPG operator and landfill gas operator shall conduct periodic leakage surveys in accordance with this section.

(d) Each LPG operator and landfill gas operator shall include a plan for periodic leakage surveys in its operating and maintenance plan.

(e) Each LPG operator shall conduct a leakage survey upon a change in gas supplier.

(f) Each LPG operator and landfill gas operator shall conduct periodic leakage surveys in business districts and outside business districts in intervals as required by 49 CFR §192.706 or §192.723.

(g) Each LPG operator shall conduct periodic leakage surveys by:

(1) Performing a pressure drop test according to Appendix D of NFPA 54, adopted by Puc 512.02(a); or

(2) Utilizing a combustible gas indicator meter or equivalent testing procedures.

(h) Each landfill gas operator shall conduct periodic leakage surveys by utilizing a combustible gas indicator meter or equivalent testing procedures.

(i) The type and scope of the leakage control program shall be determined by the nature of the operations, such as liquid petroleum distribution systems and the local conditions, but it shall meet the minimum requirements set forth in this section.

(j) Each LPG operator and landfill gas operator shall follow procedures for classification and control of flammable gas leaks approved by the safety division.

(k) When investigating a leak, if it is determined that the perimeter of a leak area extends to a building wall, the investigation shall continue into the building unless public safety or identifiable exigent circumstances prohibit entry.

(l) The LPG operator or landfill gas operator shall establish a leak repair priority based on its evaluation of the location and the magnitude of a leak.

(m) Each LPG operator and landfill gas operator shall assign a classification of leaks as follows:

(1) Class I shall be a leak that represents an existing or probable hazard to persons or property, and requires immediate repair within 24 hours or continuous action until the conditions are no longer hazardous;

(2) Class II shall be a leak that is recognized as being non-hazardous at the time of detection, but requires scheduled repair within 6 months or before the end of the calendar year based on probable future hazard; and

(3) Class III shall be a leak that is non-hazardous at the time of detection and can be reasonably expected to remain non-hazardous.

(n) In making a determination as to whether to classify a leak as Class I, II or III, a LPG operator or landfill gas operator shall comply with leak classification and leakage control procedures set forth in the 1983 ASME Guide for Gas Transmission and Distribution Piping Systems, Guide Material Appendix G-11A, Tables 3a, 3b and 3c, substituting the term “class” for “grade”.

(o) Each LPG operator and landfill gas operator shall conduct a follow-up inspection as follows:

(1) The perimeter of the leak area shall be checked with a combustible gas indicator (CGI); and

(2) Where there is residual gas in the ground after the repair of a Class I leak, the LPG operator shall conduct a follow-up inspection as soon as practical after allowing the soil

atmosphere to vent and stabilize, but in no case later than one~~1~~ month following the repair.

(p) In the case of leak repairs other than Class I, the need for a follow-up inspection shall be determined by qualified personnel of the LPG operator or landfill gas operator.

Puc 512.15~~6~~ Leakage Record-keeping and Reporting.

(a) Each LPG operator and landfill gas operator shall maintain records and follow self-audit procedures regarding gas leaks and leakage surveys as follows:

(1) Each LPG operator and landfill gas operator shall preserve historical gas leak records for no less than 7 years; and

(2) Each LPG operator and landfill gas operator shall maintain permanent records for leaks which are reported by an outside source or require reporting to a regulatory agency.

(b) The leak records as required in (a) above shall not be required to be maintained in any specific format or retained at one location.

(c) The leak records as required in (a) above shall include the following:

(1) Date discovered, time reported, time dispatched, time investigated and by whom;

(2) Date repaired, time repaired and by whom;

(3) If a reportable leak, date and time of telephone report to regulatory authority and by whom;

(4) Location of leak; and

(5) Method of leak detection including name and address if reported by an outside party.

(d) Each LPG operator and landfill gas operator shall report to the commission leaks occurring in its gas distribution or transmission system pursuant to Puc 512.05(a)(1).

Puc 512.16~~7~~ E-5 LPG Operator or Landfill Gas Operator Accident Report.

(a) Each LPG operator and landfill gas operator shall file commission Form E-5 "~~'~~Utility Accident Report~~'~~" within 10 working days of when a LPG operator or landfill gas operator accident, as described in Puc 512.07(b), occurs.

(b) Each LPG operator and landfill gas operator shall include the following on Form E-5:

(1) Report number, date and name and address of LPG operator and/or landfill gas operator;

(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 and steps taken to guard against repetition of accident; and

(9) Signature and title of signatory.

PART Puc 513 ENFORCEMENT PROCEDURES FOR LP GAS OPERATORS AND~~/OR~~ LANDFILL GAS OPERATORS

Puc 513.01 Jurisdiction Scope and Application of Authority.

(a) Pursuant to RSA 362:4-b, RSA 370:2, and RSA 374:7-a, the commission shall enforce safety standards and practices for LPG operators, referred to Puc 512, consistent with the Natural Gas Pipeline Safety Act which is set forth at 49 U.S.C. § 60101, et seq.

(b) In enforcing safety standards and practices the commission shall consider:

(1) Pipeline safety data;

(2) The appropriateness and reasonableness of a safety standard applied to a particular incident or circumstances; and

(3) Other relevant information regarding the particular circumstances of an incident.

(c) The commission in exercising and implementing its inspection and enforcement authority shall act by and through the safety division.

(d) Pursuant to RSA 362:4-b and consistent with the Natural Gas Pipeline Safety Act, the commission shall:

(1) Investigate all methods and practices of LPG operators relating to pipeline safety;

(2) Require the maintenance and filing of reports, records and other information relating to pipeline safety;

(3) Enter at all reasonable times to inspect the property, building, plants and offices of LPG operators to investigate and determine compliance with pipeline safety requirements; and

(4) Inspect all books, records, papers and documents relevant to the pipeline safety.

(e) Each LPG operator and~~/or~~ landfill gas operator shall cooperate fully with the commission and its staff in its investigations and inspections, including maintaining and providing all relevant information and data and providing such access as the commission shall require.

Puc 513.02 Intervals of Inspection.

(a) Each LPG operator and~~/or~~ landfill gas operator shall allow the commission staff, upon presentation of identifying credentials, to enter upon, inspect and examine the records and properties of persons to the extent such records and properties are relevant to determining the compliance of such persons with commission rules or orders.

(b) Each LPG operator and~~/or~~ landfill gas operator shall permit the commission to conduct inspections in response to or related to any of the following:

(1) Routine scheduling;

(2) A complaint received from a member of the public or any party;

(3) Information obtained from a previous inspection;

(4) Pipeline accident or incident; or

(5) Ensure compliance with Puc 500.

(c) In addition to the specialized inspection schedule referred to in (b) above, the commission shall schedule and conduct additional inspections if:

(1) Results obtained in an initial inspection show a defect, irregularity or non-compliance which establishes the need for a subsequent or follow-up inspection; or

(2) The commission determines that additional inspections are required to provide sufficient information to allow it to determine the LPG operator's and~~/or~~ landfill gas operators' compliance with commission rules and orders.

Puc 513.03 Inspection of LPG and~~/or~~ Landfill Gas Operators.

(a) The commission shall inspect every LPG and/or landfill gas operator.

(b) The inspection shall include a thorough review of the operator's records concerning inspection, operation, maintenance, construction and emergency procedures.

(c) Field inspections shall include:

(1) Operational checks of corrosion control provisions;

(2) Overpressure and regulating equipment;

(3) Odorization;

(4) Repaired leaks;

(5) Emergency valves;

(6) Maintenance of systems;

(7) Qualification of personnel;

(8) Public awareness programs, emergency response programs, underground damage prevention programs, and integrity management programs for transmission and distribution systems;

(9) Any other components of the facility; and

(10) Compliance with NFPA 58, the LP-Gas Code, as required by Puc 512.01.

Puc 513.04 Verbal Notice to LPG Operator ~~and/~~or Landfill Gas Operator of Probable Violation.

(a) When an evaluation of a LPG operator's ~~and/~~or landfill gas operator's records and facilities indicates that the LPG operator ~~and/~~or landfill gas operator is apparently not in compliance with a pipeline safety regulation, the commission investigator will informally discuss the probable

violation or noncompliance with the LPG operator ~~and/~~or landfill gas operators within 10 business days unless immediate corrective action is necessary following the inspection.

(b) The LPG operator ~~and/~~or landfill gas operator shall provide any documentation or physical evidence related to the alleged non-compliance which the commission representative shall request during the inspection or by letter.

(c) The LPG operator ~~and/~~or landfill gas operator may notify the commission staff and undertake on-site corrective action of the facility where the probable violation exists thus correcting the identified deficiency.

Puc 513.05 Written Formal Notice of Probable Violation.

(a) After the commission staff receives evidence of a possible violation, the commission shall issue a written notice of probable violation (NOPV) to the party alleged to have committed the violation.

(b) The commission staff shall send information regarding the NOPV by certified mail to the party alleged to have committed the violation.

(c) The NOPV shall include the following:

(1) A description of the probable violation and reference to the rule or statute regarded as violated;

(2) The date and location of the probable violation;

(3) A statement notifying the party or parties involved that civil penalties might be imposed pursuant to RSA 362:4-b and RSA 374:7-a, in the event of unfavorable judgment;

(4) The amount of the civil penalty;

(5) A description of factors relied upon by commission staff in making its determination, such as the size of the business of the utility, gravity of the violation, history of prior violations, degree of culpability of the respondent, how quickly the respondent took action to rectify the situation, cooperativeness of respondent, history of prior violations, effect of penalty on the LPG operator, and any other identifiable factors which would tend to either aggravate or mitigate the violation;

(6) Statutory rights of the respondent as enumerated in RSA 374:7-a; and

(7) Procedures for resolving the complaint.

(d) The LPG operator and/or landfill gas operator shall respond in writing to the commission within 30 days of its receipt of the violation notice referred to in (a) above.

Puc 513.06 Responses to Notice of Probable Violation.

(a) Upon receipt of the NOPV the respondent shall either:

(1) Submit to the commission within 30 days, in writing, evidence refuting the probable violation referenced in the NOPV;

(2) Submit to the commission within 30 days, a written plan of action outlining action the respondent will take to correct the violations, including a schedule and the date when compliance is anticipated;

(3) Execute a consent agreement with the commission resolving the probable violation and remit the civil penalty; or

(4) Request in writing within 30 days, an informal conference with the commission staff to examine the basis of the probable violation.

(b) Any LPG operator ~~and/~~or landfill gas operator involved in the NOPV shall provide a representative for any informal conference or hearing scheduled relative to that NOPV.

Puc 513.07 Informal Conferences.

(a) After receiving the request for the informal conference, the commission staff shall:

(1) Arrange a date, time, and location for the informal conference; and

(2) Notify the respondent by certified mail of the date, time, and location of said informal conference.

(b) At the informal conference, the commission staff shall review the basis for the violation(s). The LPG operator ~~and/~~or landfill gas operator may explain its position and may present alternatives for solution of the problem.

(c) If the LPG operator ~~and/~~or landfill gas operator and the commission staff cannot by agreement resolve the violation at this stage, the enforcement procedure shall continue as described in Puc 513.08.

Puc 513.08 Notice of Violation

(a) If the commission staff, after reviewing evidence and testimony obtained in writing or in conferences, determines that a violation of RSA 370:2, RSA 362:4-b, or Puc 500 has occurred, the commission staff shall issue a notice of violation (NOV) to the respondent.

(b) The NOV so issued shall include:

(1) The factual and statutory basis for the unfavorable preliminary determination;

(2) A description of factors relied upon by commission staff in making its determination, such as the size of the business of the LPG operator ~~and/~~or landfill gas operator, gravity of the violation, history of prior violations, degree of culpability of the respondent, how quickly the respondent took action to rectify the situation, cooperativeness of respondent, history of prior violations, effect of penalty on the LPG operator ~~and/~~or landfill gas operator, and any other identifiable factors which would tend to either aggravate or mitigate the violation;

(3) The civil penalty, if any, proposed to be imposed;

(4) Procedures for remitting penalty; and

(5) Statutory rights of the respondent as enumerated in RSA 374:7-a.

Puc 513.09 Response to Notice of Violation. Within 10 days from receipt of the NOV, the respondent shall either:

(a) Sign a consent agreement and remit the civil penalty; or

(b) File a request in writing for a hearing before the commission.

Puc 513.10 Commission Action. The commission shall act upon staff's recommendation unless the respondent requests a hearing pursuant to Puc 513.09. Hearing requests pursuant to Puc 513.09 shall be treated as a request for an adjudicatory proceeding. Upon such hearing request, the commission shall provide the respondent with notice and an opportunity for a hearing, held pursuant to Puc 200.

Appendix A

Rule	Specific State or Federal Statute the Rule Implements
Puc 501.01-501.02	RSA 362:4-b; 365:8, XII; 40 USC 60101 et seq.
Puc 502	RSA 365:8, XII
Puc 503.01	RSA 365:8, V, XII; 378:1
Puc 503.02 - 503.04	RSA 365:8, V, XII; 370:1-5
Puc 504.01 - 504.07	RSA 365:8, V, VII, XII; 374; 374:54; 49 CFR Parts 191 and 192
Puc 505.01 - 505.07	RSA 365:8, XII; 370:1-11
Puc 506.01 - 506.03	RSA 365:8, XII; 49 CFR. Parts 191, 192, 193, 198 and 199, 40 USC 5121, 60102, 60103, 60104, 60117, 60118 & 60126; 49 CFR 192.615
Puc 507.01 - 507.09	RSA 365:8, V, XII; 374:8, 13; 374:15; 369.7; 18 CFR Part 201
Puc 508.01 - 508.05	RSA 365:8, V, XII; 370:1-5; 374:48-58
Puc 509.01 - 509.22	RSA 365:8, V, XII; 369:3; 370:1-5; 374:5; 15 USC § 717 et seq.
Puc 510.01 - 510.06	RSA 365:8, V, XII; 378
Puc 511.01 - 511.10	RSA 362:4-b; 365:8, XII; 370:2; 374:7-a; 49 USC. § 60101
Puc 512.01 - 512.17	RSA 91-A:5; 365:8, V, XII; 370:2; 374:4; 49 CFR Parts 191 and 192; 49 CFR Part 191.9; 49 CFR Part 192; 49 CFR Part 192.605
Puc 513.01 - 513.10	RSA 362:4-b; 365:8, XII; 370:2; 374:7-a; 49 USC. § 60101

Appendix B

DOCUMENTS INCORPORATED BY REFERENCE

• American National Standards Institute (ANSI)/National Fire Protection Association (NFPA) standards:

54 (National Fuel Gas Code~~, 2012 edition~~) **(Puc 512.02~~3~~(a))**; **(Puc 512.0~~8~~9(d))**; **(Puc 512.14~~5~~(g)(1))**

58 (Liquefied Petroleum Gas Code~~, 2011 edition~~) **(Puc 512.01~~2~~(b))**; **(Puc 512.0~~8~~9(a) and (b))**

~~59 (Utility LP-Gas Plant Code, 2012 edition) (Puc 506.01(a))~~

Available at: http://www.nfpa.org/aboutthecodes/list_of_codes_and_standards.asp at the following, non-member costs: NFPA 54: $52.50; NFPA 58: $52.50~~; NFPA 59: $40.50~~

(NFPA contact information: NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471; Telephone: 617-770-3000 or 1-800-344-3555)

• *Purging Principles and Practice*, American Gas Association (2001 edition) **(Puc 506.02(i))**

Available through the American Gas Association for the non-member cost of $176.00 at http://www.aga.org/Pubs/buy/Pages/default.aspx.

(AGA contact information: AGA, 400 North Capitol St NW #450, Washington, DC 20001; Telephone: 202-824-7000)

• *Training Guide for Operators of Small LP Gas Systems*, U.S. Department of Transportation (April 2001 edition). **(Puc 512.01(c))**

Available for download at no charge at: http://www.phmsa.dot.gov/pipeline/library

(USDOT/PHMSA contact information: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, East Building, 2nd Floor, 1200 New Jersey Ave., SE, Washington, DC 20590; Telephone: 202-366-4433)

• U.S. Department of Transportation Forms (accessed and printed on February 23, 2013):

PHMSA~~RSPA~~ F 7100.1-1 (01-2011) - Annual Report for Calendar Year 20__ – Gas Distribution System **(Puc 508.05(a)(2)(b))**

PHMSA~~RSPA~~ F 7100.1 (Rev. 06-2011) - Incident Report - Gas Distribution System **(Puc 504.06(a)(1))**; ~~———~~**(Puc 508.05(a)(2)(a))**; **(Puc 512.07(1))**

PHMSA~~RSPA~~ F 7100.2 (Rev. 12-2012) - Incident Report – Natural and Other Gas Transmission and Gathering Pipeline Systems **(Puc 508.05(a)(2)(c))**

PHMSA~~RSPA~~ F 7100.2-1 (Rev. 12-2012) - Annual Report for Calendar Year 20__ – Natural and Other Gas Transmission and Gathering Pipeline Systems **(Puc 508.05(a)(2)(d))**

All forms are available for download at no charge at: http://www.phmsa.dot.gov/pipeline/library/forms (contact information as above)

• *Utilities Accommodation Manual* prepared by the New Hampshire state department of transportation (February 2010 edition). **(Puc 506.02(a)(1))** Available for download at no charge at: http://www.nh.gov/dot/org/projectdevelopment/highwaydesign/units/designservices/utility/index.htm

(NHDOT contact information: New Hampshire Department of Transportation, John O. Morton Bldg.,
PO Box 483/7 Hazen Drive, Concord, New Hampshire 03302-0483; Telephone: 603-271-3734)

• National Electric Code as adopted by RSA 155-A:1, IV (2011 edition, as amended by the state building code review board and ratified by the legislature in accordance with RSA 155-A:10). **(Puc 506.02(g))**

Available for a cost of $89.00 (in PDF or book format) at: http://www.nfpa.org/catalog (contact information as above for the NFPA)
Also available for review at the Public Utilities Commission.

• ASME *Guide for Gas Transmission and Distribution Piping Systems*, Guide Material Appendix G-11A (1983 edition). **(Puc 512.145~~5~~(n))** Available for review at the Public Utilities Commission.