

APPENDIX II-B

OFFICE OF LEGISLATIVE BUDGET ASSISTANT
REQUEST FOR FISCAL IMPACT STATEMENT (FIS)

FIS Number _____

Rule Number Puc 2100

1. Agency Name & Address

**Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301**

2. RSA Authority: RSA 365:8, VIII

3. Federal Authority: NA

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment X

Interim rule _____

5. Have the rules expired? Yes ___ No X

5. Short Title: **Puc 2100 AFFILIATE TRANSACTIONS RULES**

6. Contact Person:

Name: **Michael Sheehan**
Address: **N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301**

Title: **Staff Attorney**
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or

**TTY/TDD Access: Relay
NH 1-800-735-2964 or dial 711
(in NH)**

Remember:

- (a) A copy of the proposed rule or an annotated copy of the amended rule must accompany this form. The annotated copy shall use [brackets] to indicate deleted material, and underlining for added material, or any other annotation style allowed in Section 5.4 in Chapter 4 of the Drafting and Procedure Manual for Administrative Rules.
- (b) If calculations are required in the preparation of this request, attach a worksheet showing the methodology.
- (c) This form may be replicated to expedite preparation.
- (d) Please allow 10 working days from the day of receipt for the Office of Legislative Budget Assistant to complete the fiscal impact statement. Additional information about this form is in Section 2.3 in Chapter 3 of the Drafting and Procedure Manual for Administrative Rules.

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(e) Please provide the following information and attach additional sheets if necessary:

(1) Summarize the rule.

The rule implements RSA Chapter 366 and its regulation of contracts and arrangements between utilities and their affiliates. The proposed amendments add an “affiliate that is engaged in ... the development of an energy related generation, transmission, or distribution project” to the definition of a “competitive energy affiliate,” make related changes to incorporate this new definition, and other changes.

(2) Is the cost associated with this rule mandated by the rule or by state statute? If the cost is mandated by statute, then the rule itself may not have a cost or benefit associated with it. Please state either the statute or chapter law that is instigating this rule.

The only costs associated with this rule are the administrative expenses that utilities may incur to track and report the information required by the existing and proposed rules. RSA 366 requires the utilities to file information with the Commission. The existing and proposed rules detail exactly what should be filed.

(3) Compare the cost of the proposed rule with the cost of the existing rule, if there is an existing rule.

The cost of the proposed rule is the same as the cost of the existing rule, except for an incremental cost increase for the utilities because the proposed rule requires additional tracking and reporting of information.

(4) Describe the costs and benefits to the state general fund which would result from this rule.

There are no costs or benefits to the state general fund that result from the rule or from the proposed amendments to the rule.

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- (5) Explain and cite the federal mandate for the proposed rule, if there is such a mandate. How would the mandate affect state funds?

There is no federal mandate for the proposed rule.

- (6) Describe the cost and benefits to any state special fund which would result.

There is no cost or benefit to any state special fund.

- (7) Describe the costs and benefits to the political subdivisions of the state.

There is no cost to the political subdivisions of the state.

- (8) Describe the costs and benefits to the citizens of the state.

There are no costs to the citizens of the state.

- (9) Describe the costs and benefits to any independently owned business, including a description of the specific reporting and recordkeeping requirements upon those employing fewer than 10 employees.

The only possible costs to independently owned businesses are those administrative costs that utilities may incur to track the information and file the reports required by the existing and proposed rules. The reporting and recordkeeping requirements are only imposed on public utilities, which have more than 10 employees.

The benefits for independently owned businesses are the benefits of competition that may flow from the requirements in the existing and proposed rules that utilities cannot subsidize or grant unfair preferences to their affiliates.